

# MAINE STATE LEGISLATURE

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# Seventieth Legislature.

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HOUSE.

No. 302

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## STATE OF MAINE.

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

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AN ACT to amend chapter one hundred and sixty-eight of the Private and Special Laws of Maine for the year one thousand eight hundred and seventy-five, entitled “An Act for supplying the city of Bangor with water.”

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

Section 1. Section one of chapter one hundred and 2 sixty-eight of the Private and Special Laws for the year 3 one thousand eight hundred and seventy-five is hereby 4 amended by adding thereto the following: ‘Said city shall 5 file in the registry of deeds in the county of Penobscot 6 plans of the location of all land and water rights taken 7 under the provisions of this act; and no entry shall be 8 made upon any land except to make surveys until the

9 expiration of ten days from said filing ; and with such plan  
10 the said city may file a statement of the damages that it is  
11 willing to pay to any person for any property so taken,  
12 and if the amount finally awarded does not exceed that  
13 sum the city shall recover costs against such person, other-  
14 wise such person shall recover costs against the city,' so  
15 that said section as amended shall read as follows :

‘Sect. 1. The city of Bangor is hereby authorized to  
17 take, hold and convey into, about and through the city of  
18 Bangor, from any point that may be deemed expedient  
19 between the foot of Treat’s Falls in Bangor and the head  
20 of McMahan’s Falls in Veazie, water sufficient for the use  
21 of said city and the inhabitants thereof, for the extinguish-  
22 ment of fires, domestic uses and creating steam, and may  
23 flow, take and hold, by purchase or otherwise, any lands  
24 or real estate for laying and maintaining aqueducts and  
25 pipes, for taking, discharging, disposing of and distribut-  
26 ing water, and for constructing and maintaining reservoirs,  
27 dams and such other works as may be deemed necessary  
28 or proper for raising, forcing, retaining, distributing, dis-  
29 charging or disposing of said water and for the erection of  
30 any works for said purposes, and for sinking wells and  
31 for making excavations for the filtration of water. Said  
32 city shall file in the registry of deeds in the county of  
33 Penobscot plans of the location of all land and water rights  
34 taken under the provisions of this act ; and no entry shall  
35 be made upon any land except to make surveys until the  
36 expiration of ten days from said filing ; and with such  
37 plan the said city may file a statement of the damages that  
38 it is willing to pay to any person for any property so  
39 taken, and if the amount finally awarded does not exceed

40 that sum the city shall recover costs against such person,  
41 otherwise such person shall recover costs against the city.'

Sect. 2. Section four of said act is hereby amended by  
2 adding after the word "prescribed" in the tenth line  
3 thereof, the words 'from time to time,' so that said section  
4 as amended shall read as follows :

'Section 4. Said city shall be liable to pay all damages  
6 that shall be sustained by any persons or corporations in  
7 their property by the taking of any land, or by flowage,  
8 or excavating through any land for the purpose of laying  
9 down pipes, building dams, or constructing reservoirs, or  
10 making excavations. And if any person or corporation  
11 sustaining damages as aforesaid in said city shall not  
12 mutually agree upon the sum to be paid therefor, such  
13 person or corporation may cause said damages to be ascer-  
14 tained and determined in such manner and under the same  
15 conditions, restrictions and limitations as are by law pre-  
16 scribed from time to time in the case of damage by the  
17 laying out of highways.'

Sect. 3. This act shall take effect when approved.

STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 6, 1901.

Reported by Mr. LIBBY of Poland, from Committee on Legal  
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*