

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 275

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## STATE OF MAINE.

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

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AN ACT to authorize the Farmington Village Corporation to  
take water for municipal and domestic purposes.

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

Section 1. The Farmington Village Corporation is hereby  
2 authorized and empowered to take water from Varnum's  
3 pond, so called, situated in the towns of Wilton and Temple,  
4 in the county of Franklin, sufficient for all municipal, public  
5 and domestic purposes in the town of Farmington, including  
6 a sufficient quantity for extinguishing fires, supplying hotels,  
7 livery stables and laundries, for sprinkling streets, for run-  
8 ning elevators and for motors, providing that such motors  
9 shall not be used for manufacturing purposes; and the said  
10 Farmington Village Corporation is further authorized and

11 empowered for said purposes to take and convey the water  
12 of said Varnum's pond through any or all of the towns of  
13 said county, as may be necessary, and across the Sandy river  
14 by an aqueduct or pipe sunk to any depth desirable for the  
15 purpose, and may also take and hold, by purchase or other-  
16 wise, any land necessary for laying and maintaining said  
17 aqueduct or pipe line, with all necessary locks, gates, dams  
18 or other structures necessary to convey the water from said  
19 Varnum's pond, as aforesaid, to the pumping station or stand  
20 pipe of said Farmington Village Corporation, provided that  
21 such taking of land shall not interfere with any existing sys-  
22 tem of municipal water supply.

Sect. 2. Said Farmington Village Corporation is hereby  
2 authorized to lay down and maintain in and through the  
3 streets and ways and under any steam railroad within the  
4 limits of the county of Franklin, and to take up, replace and  
5 repair all such pipe, aqueduct, gates and fixtures as may be  
6 necessary for conveying the water taken under the provisions  
7 of this act to the pumping station or stand pipe of the Farm-  
8 ington Village Corporation, under such reasonable restric-  
9 tions as may be imposed by the municipal officers of any town  
10 within their respective limits, provided that in the case of any  
11 crossing of steam railroads within the county of Franklin,  
12 unless said Farmington Village Corporation shall agree with  
13 the company owning and operating said railroads, as to the  
14 place, manner and conditions of crossing, the railroad com-  
15 missioners shall determine the place, manner and condition  
16 of such crossing, and all work within the limits of said rail-  
17 road location shall be done under the supervision and to the  
18 satisfaction of the officers of said railroad company, by and  
19 at the expense of the said Farmington Village Corporation,  
20 and said Farmington Village Corporation shall be responsible  
21 for all damages to any streets or ways, and to persons or  
22 property occasioned by such use of said streets and ways, and

23 shall further be liable to pay any town or city all sums of  
24 money recovered against said town for damages from  
25 obstructions or defects in said streets or ways caused by said  
26 Farmington Village Corporation.

Sect. 3. The board of assessors of said Farmington Village  
2 Corporation, or any committee appointed by said Farmington  
3 Village Corporation, may enter upon any land within the  
4 limits of Franklin county, not occupied for the maintenance  
5 of any system of municipal water supply, for locating the  
6 necessary aqueducts, pipes, locks, or other structures, doing  
7 no unnecessary damage, and said Farmington Village Cor-  
8 poration may take and hold the land necessary for any of the  
9 purposes above named; and within thirty days after deter-  
10 mining the quantity of land and the boundaries thereof to be  
11 taken and held said Farmington Village Corporation shall  
12 file in the registry of deeds for the county of Franklin, notice  
13 of said taking, together with the plan of said land and a  
14 description with the names of the owners thereof, with the  
15 purposes for which it is taken, signed by the aforesaid asses-  
16 sors or committee, appointed as aforesaid, and after filing  
17 said plan and descriptions and purposes, may enter upon, take  
18 and hold the land included in said description for the pur-  
19 poses designated therein, and may use any portion of the land  
20 so taken and held, with any materials thereon, in the erection  
21 of any structure, making any grade, fill or embankment, the  
22 damages therefor to be assessed as provided in sections four  
23 and five of this act, and whenever said Farmington Village  
24 Corporation shall, under the provisions of this act, take water  
25 from the aforesaid pond, it shall file in the registry of deeds  
26 in said county of Franklin, a notice of said taking, describing  
27 the size, location and depth of the pipe or pipes through  
28 which water is to be taken from said source.

Sect. 4. The Farmington Village Corporation shall be  
2 liable for the damages sustained by any persons or corpora-  
3 tions to their property by the taking of any land for pipes,  
4 aqueducts, gates, dams or other structures used by said Farm-  
5 ington Village Corporation in conveying the water as afore-  
6 said, and shall be liable for damages for any land taken under  
7 the provisions of this act.

Sect. 5. Should said Farmington Village Corporation be  
2 unable to agree upon the damages to be paid for said loca-  
3 tion, taking and holding, with any person or corporation  
4 claiming damages by reason of the taking of any land, or  
5 easement, under the provisions of this act, any such person  
6 or corporation or said Farmington Village Corporation may,  
7 within twelve months after the filing of said notices, plans,  
8 and descriptions, apply to the commissioners of the county  
9 of Franklin, who shall cause such damages to be assessed in  
10 the same manner and under the same restrictions, conditions,  
11 limitations and rights of appeal as are by law prescribed in  
12 the case of damages in the laying out of highways, so far as  
13 such law is consistent with the provisions of this act.

Sect. 6. The Farmington Village Corporation is hereby  
2 vested with the authority to raise such sum or sums of money  
3 as are necessary for the payment of all extensions, additions  
4 and improvements acquired by said Farmington Village Cor-  
5 poration by virtue of this act, and is hereby authorized to  
6 increase its bonded indebtedness by issuing additional bonds,  
7 secured by a second mortgage on its existing property,  
8 together with a first mortgage of what property it may  
9 acquire by virtue of this act.

Sect. 7. The rights granted under this act to the Farming-  
2 ton Village Corporation shall be so exercised as not to inter-  
3 fere with the rights of the Wilton Water Company to take  
4 water from said pond for the purpose of conveying to and

5 supplying the town of Wilton and the villages of North Jay  
6 and Bean's Corner in the town of Jay, with pure water for  
7 domestic, sanitary, fire and municipal purposes.

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



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, February 27, 1905.

Reported by Mr. HALE from Committee on Judiciary and ordered  
printed under joint rules.

E. M. THOMPSON, *Clerk*