

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-THIRD LEGISLATURE

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HOUSE.

No. 373

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## STATE OF MAINE.

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

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AN ACT to amend chapter 339 of the Private and Special Laws  
of 1901 as amended by chapter 5 of the Private and Special  
Laws of 1903 relating to the Winthrop Water and Drainage  
Company.

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

Section 1. Section 1, of said chapter as amended is hereby  
2 amended to read as follows:

L. T. Carleton, Charles P. Hannaford, Adam Fortier, J. G.  
4 Yeaton, C. P. Rowell, Horace Maxfield, J. D. Towle, and N.

5 L. Hannaford, Frank I. Bishop, and E. H. Penniman, with  
6 their associates and successors and assigns are hereby made  
7 a corporation under the name of the Winthrop Water and  
8 Drainage Company for the purpose of supplying the inhabi-  
9 tants of the town of Winthrop with pure water for domestic  
10 purposes and for the purpose of creating a sewer and drain-  
11 age system for the inhabitants of said town of Winthrop  
12 living easterly of the mill stream flowing through Winthrop  
13 village, with all the rights and privileges and subject to all  
14 the liabilities and obligations of similar corporations under  
15 the laws of the state.

Sect. 2. Section 2 of said chapter as amended is hereby  
2 amended as follows: By adding after the word "Marana-  
3 cook" in the fourth line the word 'Narrow's Pond,' so-called,  
4 so that said section as amended shall read as follows:

'Sect. 2. For any of the purposes aforesaid the said cor-  
6 poration is hereby authorized to take and use water from any  
7 springs or wells that they may acquire by purchase of the  
8 owner thereof, and also from Lake Maranacook and Nar-  
9 row's Pond, so-called, to conduct and distribute the same into  
10 and through said town of Winthrop by pipes or aqueducts  
11 in the usual manner.'

Sect. 3. Section 3 of said chapter as amended, is hereby  
2 further amended, by adding thereto the following:

Said corporation is hereby empowered to take and hold as  
4 for public use such lands as may be necessary for the pur-  
5 poses of said corporation, as herein provided, and in case

6 said corporation cannot agree with the owner or owners as  
7 to the amount of land to be taken, or the price to be paid  
8 therefor, the same shall be determined by the county com-  
9 missioners where such lands are located, upon the applica-  
10 tion of any party interested to such county commissioners,  
11 in the same manner as damages are assessed for the location,  
12 alteration and discontinuance of highways as provided in  
13 chapter 18 of the Revised Statutes of 1883 and acts amend-  
14 atory thereof, and the same rights of appeal from the deci-  
15 sion of said county commissioners shall exist and may be  
16 prosecuted in the same manner as provided in said chapter  
17 18 and acts amendatory thereof.

So that said section as amended shall read as follows :

'Sect. 3. The said corporation is hereby authorized to lay,  
20 construct and maintain in, under, through, along, over and  
21 across the highways, ways, streets and bridges in the said  
22 town of Winthrop, easterly of the mill stream, under such  
23 reasonable restrictions as the selectmen of said town may  
24 impose and to take up, replace and repair all such aqueducts,  
25 pipes, hydrants and other structures and fixtures as may be  
26 necessary and convenient for the said purpose of said cor-  
27 poration and the said corporation shall be responsible for all  
28 damages to the said town and to all corporations, persons  
29 and property occasioned by such use of the said highway,  
30 ways and streets. Whenever the said corporation shall lay  
31 down or construct any fixtures in any highway, way or street

32 it shall cause the same to be done with as little obstruction to  
33 public travel as may be practicable and shall at its own  
34 expense without unnecessary delay cause the earth and pave-  
35 ment then removed by it to be replaced in proper condition.  
36 The location of all pipes heretofore laid by any of said incor-  
37 porators for the purpose specified herein are hereby ratified  
38 and confirmed.

Said corporation is hereby empowered to take and hold as  
40 for public use such land as may be necessary for the pur-  
41 poses of said corporation as herein provided, and in case said  
42 corporation cannot agree with the owner or owners as to  
43 the amount of land and material to be taken or the price to be  
44 paid therefor, the same shall be determined by the county  
45 commissioners where such land is located, upon the applica-  
46 tion of any party interested to such county commissioners in  
47 the same manner as damages are assessed for the location,  
48 alteration and discontinuance of highways as provided in  
49 chapter 18 of the Revised Statutes of 1883 and acts amendatory  
50 thereof and the same rights of appeal from the decision  
51 of said county commissioners shall exist and may be prose-  
52 cuted in the same manner as provided in said chapter 18 and  
53 acts amendatory thereof.

Sect. 4. Said corporation shall not permit the discharge  
2 from any of the pipes or drains it may lay, operate or use  
3 under the provisions of this act into said mill stream or Lake  
4 Annabesacook ; but the same shall be discharged into a cess-

5 pool or cesspools properly constructed and taken care of in  
6 such way and manner so as to prevent the discharge from  
7 said drains from entering said stream or lake.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 1, 1907.

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

E. M. THOMPSON, *Clerk*.