

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 613

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*House of Representatives, Mar. 16, 1911.*

*Reported by Mr. Wilson from committee on Legal Affairs  
and ordered printed under joint rules.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT to supply the Town of North Haven with pure water.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. The town of North Haven in the county of  
2 Knox by its municipal officers, acting for and in behalf of  
3 said town is authorized and empowered to take water from  
4 a pond known as Fresh Pond in said town of North Haven  
5 sufficient for domestic, municipal, manufacturing and in-  
6 dustrial purposes, including a sufficient quantity to ex-  
7 tinguish fires, supply hotels, laundries, livery stables, busi-  
8 ness places and private dwellings as well as for the sprin-  
9 kling of lawns and streets; and for the purposes aforesaid  
10 to convey any of the waters aforesaid by aqueducts or pipes  
11 and service pipes sunk to any depth desirable for said pur-

12 poses, and to lay said aqueducts or pipes under or over any  
13 water course, stream, brook, street, highway, or any other  
14 way in such manner as not unnecessarily to obstruct the same ;  
15 and to lay down in and through streets and ways of said  
16 town of North Haven and take up, replace, and repair all  
17 such aqueducts, pipes, and service pipes as may be neces-  
18 sary to carry out the purposes of a complete system of water  
19 works.

Sect. 2. The town of North Haven, by its said municipal  
2 officers, may make any necessary contract with any person,  
3 company or corporation for acquiring the ownership of any  
4 aqueduct company or corporation, owning a system of wa-  
5 ter works, or any part thereof in said town of North Haven,  
6 whereby said town of North Haven, by its municipal officers,  
7 may be entitled to purchase the whole at any one time, or  
8 to purchase the same in installments through a period of  
9 years.

Sect. 3. For the purpose of carrying out the provisions  
2 of this Act, said town of North Haven, by its municipal offi-  
3 cers, shall have power and is hereby authorized to take and  
4 hold by purchase or otherwise, any lands or real estate, nec-  
5 essary for laying and maintaining pipes, aqueducts, locks,  
6 gates, hydrants, dams, stand pipes, reservoirs, for taking,  
7 conducting, conveying, storing, holding, discharging and  
8 distributing, and for roadways to be used as approaches  
9 therto, doing no unnecessary damage.

The said town, by its municipal officers, may enter upon

11 said lands or real estate so taken and held to make surveys  
12 and locations, and shall file in the Registry of Deeds in the  
13 county in which such lands or property lies, plans of such  
14 lands and locations, showing the property taken within  
15 said county and within thirty days thereafter shall publish no-  
16 tice of such taking and filing in some newspaper published in  
17 said county wherein said land is taken, such publication to  
18 be continued three weeks successively, and such filing in  
19 the Registry of Deeds shall be in lieu of any other filing  
20 now required by law. Said town of North Haven, by its  
21 municipal officers, may permit the use, for said purposes,  
22 of any land so taken by it, by any person, company or cor-  
23 poration, with which it has made such a contract as is de-  
24 scribed in Section 2, whereby the said town of North Haven  
25 may be entitled to acquire the ownership of any aqueduct or  
26 system of water works or any part thereof in said town of  
27 North Haven.

Sect. 4. Should the said town of North Haven by its mu-  
2 nicipal officers and the owner of such land be unable to agree  
3 upon the damages to be paid for such taking, location and  
4 holding, the land owner or the town of North Haven by its  
5 municipal officers, may within six months after the filing of  
6 said plans and location, apply to the commissioners of the  
7 county wherein said land lies, who shall cause such damages  
8 to be assessed in the same maner and under the same condi-  
9 tions, restrictions, limitations and rights of appeal as are by  
10 law prescribed in the case of damages for the laying out of

11 railroads, so far as such law is consistent with the provisions  
12 of this Act.

Sect. 5. The town of North Haven, by its municipal officers, is authorized and empowered to contract with any person or corporation to construct aqueducts, pipes, locks, gates, hydrants, dams, stand pipes and reservoirs and any other structures necessary for a system of water works, upon lands taken as hereinbefore prescribed. And in case any such company or corporation is organized to construct any such aqueduct, it is empowered to place all or any part of its capital stock in the name of a trustee or trustees, and to contract that said trustee, or trustees, shall sell and deliver the same to the said town of North Haven in installments from year to year, as may be agreed upon.

Sect. 6. Said municipal officers of said town of North Haven are authorized to fix the rates for water to be paid monthly, quarterly, semi-annually or annually, by persons or corporations supplied with the same, and they shall determine the conditions and methods of such supply and shall have general charge and control of said water system.

Sect. 7. Said town of North Haven, through its municipal officers, is authorized for the purpose of carrying into effect the provisions of this act, to dig up and excavate any highway in said town, lay pipes therein, and fill the trenches under the directions of the road commissioner of said town or such person as may be acting in that capacity for the time being.

Sect. 8. Whenever said town of North Haven or said trus-

2 tee, company or corporation of which either may obtain con-  
3 trol, as provided in Section 2, either directly or through  
4 ownership of stock, shall, under Section 1 take water from  
5 any of the sources therein named, it shall file in the Registry  
6 of Deeds in the county in which such source of supply is lo-  
7 cated, a notice of such taking, describing the size, location  
8 and depth of the pipe or pipes, through which said water is  
9 to be taken from said source or sources.

The said town of North Haven, or said trustee, company  
11 or corporation, shall pay all damages sustained by any per-  
12 son or corporation in property by the taking of any water,  
13 water sources, water right, or easement, or by anything done  
14 by said town or by said trustee, company or corporation first  
15 named in this Section under the authority of this act, which  
16 shall be determined and assessed in the same manner as pro-  
17 vided in Section four, for land taken under the provisions of  
18 this act.

Sect. 9. For the purpose of raising money to carry out  
2 the provisions of this act, the town of North Haven may  
3 issue its bonds with interest coupons, in behalf of said town,  
4 signed by the municipal officers of said town, and the treas-  
5 urer of said town, when authorized by a vote of said town,  
6 to an amount which, taken in connection with the other in-  
7 debtedness of the town, will not exceed the amount limited  
8 by the State of Maine. And such bonds shall be signed by  
9 the municipal officers of the town and the treasurer of said  
10 town, but the coupons need be signed by the treasurer only,

11 and shall be designated. "The North Haven Water Loan."  
12 and the doings of said town of North Haven at their annual  
13 meeting held March 6, 1911, relative to the construction of  
14 said water works and the issue of bonds for the purpose  
15 of paying for the construction of said water system are  
16 hereby confirmed and made valid.

Sect. 10. The rates for the supply of water under this  
2 act shall be fixed so that all expenses of repairs, and man-  
3 agement shall be paid annually, together with interest and  
4 such amounts as the town may determine to be paid annually  
5 on the principal expenditures.