

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 317

In Senate, March 13, 1917.

Reported by Mr. Butler of Knox from Committee on Public Utilities and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to amend Chapter 218 of the Private and Special Laws of the State of Maine for the year 1911, entitled "An Act to Supply the town of North Haven with pure water."

Whereas, furnishing the people, both permanent and summer residents, living in that part of Vinalhaven bordering Fox Island Thoroughfare, with pure water for domestic purposes is an emergency measure immediately necessary for the preservation of public health and safety, and

Whereas, the same is to be furnished as a part of the Water Supply of the Municipality of North Haven, and not by

any corporation within the meaning of that word as used in the Constitution of the State of Maine as amended:

Now therefore,

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

Section 1. That Section three of said chapter two hundred
2 eighteen is hereby amended by inserting after the words
3 “any lands” in the first paragraph of said section, the words
4 ‘easements, rights of way,’ so that the first paragraph of
5 said section shall read as follows:

‘Sect. 3. For the purpose of carrying out the provisions
2 of this act, said Town of North Haven, by its municipal
3 officers, shall have power and is hereby authorized to take
4 and hold by purchase or otherwise, any lands, easements,
5 rights of way, or real estate necessary for laying and main-
6 taining pipes, aqueducts, locks, gates, hydrants, dams,
7 standpipes, reservoirs for taking, conducting, conveying,
8 storing, holding, discharging, and distributing, and for road-
9 ways to be used as approaches thereto, doing no unnecessary
10 damage.’

Sect. 2. Section five of said chapter two hundred eighteen
2 is hereby amended by striking out the words at the end of
3 the first sentence in said section reading as follows, “upon
4 lands taken as hereinbefore prescribed,” so that said section
5 as amended shall read as follows:

‘Sect. 5. The Town of North Haven, by its municipal offi-
2 cers, is authorized and empowered to contract with any per-
3 son or corporation to construct aqueducts, pipes, locks,

4 gates, hydrants, dams, stand pipes and reservoirs and any
5 other structures necessary for a system of water works.
6 And in case any such company or corporation is organized
7 to construct any such aqueduct, it is empowered to place all
8 or any part of its capital stock in the name of a trustee or
9 trustees, and to contract that said trustee, or trustees, shall
10 sell and deliver the same to the said town of North Haven
11 in instalments from year to year, as may be agreed upon.'

Sect. 3. Section seven of said chapter two hundred
2 eighteen is hereby amended by striking out from said sec-
3 tion the words reading as follows: "and fill the trenches un-
4 der the direction of the Road Commissioner of said town,
5 or such person as may be acting in that capacity for the
6 time being," so that said section as amended shall read as
7 follows:

'Sect. 7. Said town of North Haven, through its muni-
2 cipal officers, is authorized for the purpose of carrying into
3 effect the provisions of this act, to dig up and excavate any
4 highway in said town, and lay pipes therein.

Sect. 4. Said town of North Haven under its charter
2 shall have the right to furnish water for all its chartered
3 purposes in that part of the town of Vinalhaven lying with-
4 in two miles of Fox Island Thoroughfare, with the right to
5 lay one or more lines of pipe across said thoroughfare in
6 such locations as may be approved by the United States
7 Government.

All the provisions of said charter shall apply to the terri-

2 tory described in this section in the same manner they now
3 apply to said town of North Haven, and said town shall
4 have the right to furnish water for supplying shipping.

Said town of North Haven may by vote lease by one or
2 more leases, the whole or any part of its rights conferred
3 by this section, and such leasees within the limitations of
4 their leases shall have all the rights of said town.

Sect. 5. In view of the emergency cited in the preamble,
2 this act shall take effect when approved.