

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842.

AUGUSTA
KENNEBEC JOURNAL PRINT
1905

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

Chapter 233.

An Act to authorize the Farmington Village Corporation to take water for municipal and domestic purposes.

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

Section 1. The Farmington Village Corporation is hereby authorized and empowered to take water from Varnum's pond, so called, situated in the towns of Wilton and Temple, in the county of Franklin, sufficient for all municipal, public and domestic purposes in the town of Farmington, including a sufficient quantity for extinguishing fires, supplying hotels, livery stables and laundries, for sprinkling streets, for running elevators and for motors, providing that such motors shall not be used for manufacturing purposes; and the said Farmington Village Corporation is further authorized and empowered for said purposes to take and convey the water of said Varnum's pond through any or all of the towns of said county, as may be necessary, and across the Sandy river by an aqueduct or pipe sunk to any depth desirable for the purpose, and may also take and hold, by purchase or otherwise, any land necessary for laying and maintaining said aqueduct or pipe line, with all necessary locks, gates, dams or other structures necessary to convey the water from said Varnum's pond, as aforesaid, to the pumping station or stand pipe of said Farmington Village Corporation, provided that such taking of land shall not interfere with any existing system of municipal water supply.

Section 2. Said Farmington Village Corporation is hereby authorized to lay down and maintain in and through the streets and ways and under any steam railroad within the limits of the county of Franklin, and to take up, replace and repair all such pipe, aqueduct, gates and fixtures as may be necessary for conveying the water taken under the provisions of this act to the pumping station or stand pipe of the Farmington Village Corporation, under such reasonable restrictions as may be imposed by the municipal officers of any town within their respective limits, provided that in the case of any crossing of steam railroads within the county of Franklin, unless said Farmington Village Corporation shall agree with the company owning and operating said railroads, as to the place, manner and conditions of crossing, the railroad commissioners shall determine the place, manner and condition of such crossing, and all work within the limits of said railroad location shall be done under the supervision and to the satisfaction of the officers of said railroad company, by and at the expense of the said Farmington

Authorized to take water from Varnum's pond.

—uses to which water may be applied.

—may convey water through towns of Franklin county.

—may take and hold land for laying pipe line.

—locks, gates and dams.

May occupy streets.

—may lay pipes.

—regulations for crossing location of railroads.

CHAP. 233

-responsibility for damages.

Village Corporation, and said Farmington Village Corporation shall be responsible for all damages to any streets or ways, and to persons or property occasioned by such use of said streets and ways, and shall further be liable to pay any town or city all sums of money recovered against said town for damages from obstructions or defects in said streets or ways caused by said Farmington Village Corporation.

May enter upon land for location of aqueducts, etc.

Section 3. The board of assessors of said Farmington Village Corporation, or any committee appointed by said Farmington Village Corporation, may enter upon any land within the limits of Franklin county, not occupied for the maintenance of any system of municipal water supply, for locating the necessary aqueducts, pipes, locks, or other structures, doing no unnecessary damage, and said Farmington Village Corporation may take and hold the land necessary for any of the purposes above named; and within thirty days after determining the quantity of land and the boundaries thereof to be taken and held said Farmington Village Corporation shall file in the registry of deeds for the county of Franklin, notice of said taking, together with the plan of said land and a description with the names of the owners thereof, with the purposes for which it is taken, signed by the aforesaid assessors or committee, appointed as aforesaid, and after filing said plan and descriptions and purposes, may enter upon, take and hold the land included in said description for the purposes designated therein, and may use any portion of the land so taken and held, with any materials thereon, in the erection of any structure, making any grade, fill or embankment, the damages therefor to be assessed as provided in sections four and five of this act, and whenever said Farmington Village Corporation shall, under the provisions of this act, take water from the aforesaid pond, it shall file in the registry of deeds in said county of Franklin, a notice of said taking, describing the size, location and depth of the pipe or pipes through which water is to be taken from said source.

-shall file notice of location.

-further proceedings.

Liability for land taken.

Section 4. The Farmington Village Corporation shall be liable for the damages sustained by any persons or corporations to their property by the taking of any land for pipes, aqueducts, gates, dams or other structures used by said Farmington Village Corporation in conveying the water as aforesaid, and shall be liable for damages for any land taken under the provisions of this act.

Damages, how determined.

Section 5. Should said Farmington Village Corporation be unable to agree upon the damages to be paid for said location, taking and holding, with any person or corporation claiming damages by reason of the taking of any land, or easement, under

the provisions of this act, any such person or corporation or said Farmington Village Corporation may, within twelve months after the filing of said notices, plans and descriptions, apply to the commissioners of the county of Franklin, who shall cause such damages to be assessed in the same manner and under the same restrictions, conditions, limitations and rights of appeal as are by law prescribed in the case of damages in the laying out of highways, so far as such law is consistent with the provisions of this act.

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

May raise money.

-may increase its bonded indebtedness.

Section 7. The rights granted under this act to the Farmington Village Corporation shall be so exercised as not to interfere with the rights of the Wilton Water Company, to take water from said pond for the purpose of conveying to and supplying the town of Wilton and the villages of North Jay and Bean's Corner in the town of Jay, with pure water sufficient for all municipal, public and domestic purposes, including a sufficient quantity for extinguishing fires, supplying hotels, livery stables, laundries, for sprinkling streets, for running elevators and for motors, providing that such motors shall not be used for manufacturing purposes.

Rights hereby conferred shall not interfere with rights of Wilton Water Company.

Section 8. This act shall take effect when approved.

Approved March 17, 1905.

Chapter 234.

An Act to incorporate the Hastings Brook Improvement Company.

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

Section 1. F. M. Simpson, C. E. Oak, and Fred W. Scott, their associates, successors and assigns, are hereby created a corporation by the name of the Hastings Brook Improvement Company, with all the rights, powers and privileges of similar corporations.

Corporators.

-corporate name-

Section 2. Said company may erect and maintain dams with suitable sluices in East Hastings brook above Big Falls, so

May erect dams.