

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

SENATE.

No. 2.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to supply the people of Norway Village
Corporation and vicinity with Pure Water.

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

SECTION 1. John L. Horne, S. Dexter Andrews,
2 Freeland Howe, Albert F. Andrews, Newell A.
3 Trafton, Charles N. Tubbs, Geo. L. Beal, Wm.
4 H. Whitcomb, Charles L. Hathaway, Henry M.
5 Bearce, Hermon L. Horne, Cyrus S. Tucker and
6 William Whitmarsh, with their associates and suc-
7 cessors are hereby made a corporation by the name
8 of Norway Water Company, for the purpose of
9 conveying to and supplying Norway Village Cor-
10 poration and vicinity with pure water.

SECT. 2. Said corporation, for said purposes,
2 may hold real and personal estate necessary and
3 convenient therefor, not exceeding sixty thousand
4 dollars.

SECT. 3. Said corporation is hereby authorized,
2 for the purposes aforesaid, to take, detain and use
3 the water of Pennesseewassee Pond, Little Pen-
4 nesseewassee Pond, or either of them, and all
5 streams tributary thereto or running therefrom, in
6 the town of Norway, county of Oxford, and is
7 also authorized to erect and maintain reservoirs
8 and dams, and lay down and maintain pipes and
9 aqueducts necessary for the proper accumulating,
10 conducting, discharging, distributing and dispos-
11 ing of water, and forming proper reservoirs
12 thereof; and said corporation may take and hold
13 by purchase or otherwise, any lands or real estate
14 necessary therefor, and may excavate through any
15 lands, when necessary for the purposes of this
16 incorporation.

SECT. 4. Said corporation shall be held liable to
2 pay all damages that shall be sustained by any
3 persons by the taking of any land or other prop-
4 erty, or by flowage, or by excavating through any
5 land for the purpose of laying down pipes and

6 aqueducts, building dams and reservoirs, and also
7 damages for any other injuries resulting from said
8 acts; and if any person sustaining damage as
9 aforesaid, and said corporation, cannot mutually
10 agree upon the sum to be paid therefor, such per-
11 son may cause his damages to be ascertained in
12 the same manner and under the same conditions,
13 restrictions and limitations as are by law pre-
14 scribed in the case of damages by the laying out
15 of railroads.

SECT. 5. The capital stock of said corporation
2 shall be forty thousand dollars, which may be in-
3 creased to sixty thousand dollars by a vote of said
4 corporation, and said stock shall be divided into
5 shares of fifty dollars each.

SECT. 6. Said corporation is hereby authorized
2 to lay down, in and through the streets and ways
3 in said town of Norway, and to take up, replace
4 and repair all such pipes, aqueducts and fixtures
5 as may be necessary for the purposes of their in-
6 corporation, under such reasonable restrictions as
7 may be imposed by the selectmen of said town.
8 And said corporation shall be responsible for all
9 damages to persons and property occasioned by
10 the use of such streets and ways, and shall further
11 be liable to pay to said town all sums recovered

12 against said town for damages from obstruction
13 caused by said corporation, and for all expenses,
14 including reasonable counsel fees, incurred in de-
15 fending such suits, with interest on the same.

SECT. 7. Said corporation is hereby authorized
2 to make contracts with said town of Norway,
3 Norway, Village Corporation and with other cor-
4 porations and individuals, for the purposes of
5 supplying water as contemplated by said act; and
6 said town of Norway, by its selectmen, and said
7 Norway Village Corporation, by its assessors, are
8 hereby authorized to enter into contract with said
9 company for a supply of water, and for such ex-
10 emption from public burden as said town and
11 Norway Village Corporation and said company
12 may agree upon, which, when made, shall be legal
13 and binding upon all parties thereto.

SECT. 8. Said corporation shall have power to
2 cross any private or public sewer, or to change the
3 direction thereof, when necessary for the purposes
4 of their incorporation, but in such manner as not
5 to obstruct or impair the use thereof; and said
6 corporation shall be liable for any injury caused
7 thereby; whenever the company shall lay down
8 any pipes in any street, or make any alterations or
9 repairs upon its works in any street, it shall cause

10 the same to be done with as little obstruction to
11 public travel as may be practicable, and shall at its
12 own expense, without necessary delay, cause the
13 earth and pavements removed by it to be replaced
14 in proper condition.

SECT. 9. Any person who shall wilfully injure
2 any of the property of said corporation, or who
3 shall knowingly corrupt the waters of said Pen-
4 nesseewassee Pond, Little Pennesseewassee Pond,
5 or any of the tributary streams, in any manner
6 whatever, or render them impure, whether the
7 same be frozen or not, or who shall throw the car-
8 casses of dead animals or other offensive matter
9 into said waters, or who shall wilfully destroy or
10 injure any dam, reservoir, aqueduct, pipe, hydrant
11 or other property held or owned by said corpora-
12 tion for the purposes of this act, shall be punished
13 by a fine not exceeding one thousand dollars, or
14 by imprisonment not less than one year, and shall
15 be liable to said corporation for three times the
16 actual damage, to be recovered in any proper
17 action.

SECT. 10. Said corporation may issue its bonds
2 for the construction of its works, upon such rates
3 and times as it may deem expedient, not exceeding
4 fifty thousand dollars, and secure the same by

5 mortgage of the franchise and property of said
6 company.

SECT. 11. In case the works of this corporation
2 shall not have been put into actual operation
3 within four years from the date of the approval
4 of this act, the rights and privileges herein
5 granted shall be null and void.

SECT. 12. The first meeting of said corporation
2 may be called by a written notice thereof, signed
3 by any five corporators herein named, served upon
4 each corporator by giving him the same in hand,
5 or by leaving the same at his last usual place of
6 abode seven days before the time of meeting.

SECT. 13. This act shall take effect when
2 approved.

STATE OF MAINE.

IN SENATE CHAMBER, }
January 21, 1885. }

Reported by Mr. BEARCE from Committee on Legal Affairs, and laid
on table to be printed under joint rules.

C. W. TILDEN, *Secretary.*