

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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SENATE

NO. 214

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*In Senate, Feb. 5, 1913.*

*Presented by Senator Dutton of Kennebec, and on motion by same Senator laid on the table for printing pending reference to a committee.*

*W. E. LAWRY, Secretary.*

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STATE OF MAINE

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

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AN ACT to incorporate the Winthrop Village Water  
Company.

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

Section 1. E. R. Jones, R. Alden, H. S. Woodman, F. H.  
2 Badger, J. H. McIlroy, N. L. Hannaford, A. L. Brann,  
3 G. N. Waugh, N. L. Cobb, C. I. Bailey, C. F. Kilbreth,  
4 E. W. Macomber, M. F. Norcross, E. T. Clifford, L. E.  
5 Jones, I. O. Gage, R. C. McIlroy, J. G. Yeaton, J. H. Pink-  
6 ham, G. W. Bates, J. A. Foster, H. E. Wadsworth, J. A.  
7 Stanley, E. P. Sturtevant and H. E. Foster, all of Win-  
8 throp, with their associates and successors, and assigns, are

9 hereby made a corporation under the name of the Winthrop  
10 Village Water Company, for the purpose of supplying water  
11 for public and private use in the town of Winthrop in  
12 Kennebec county, and to construct, maintain and operate a  
13 system of sewers and drainage in and for said town.

Sect. 2. Said corporation may take and hold by purchase  
2 or otherwise, real and personal estate necessary and con-  
3 venient for the purposes aforesaid and not exceeding one  
4 hundred thousand dollars.

Sect. 3. For any of the purposes aforesaid, or for the  
2 preservation and purity of said water, said corporation is  
3 hereby authorized to erect and maintain dams, reservoirs,  
4 filters, and standpipes, and to lay and maintain pipes, aque-  
5 ducts and conduits necessary and proper for accumulating,  
6 storing, conducting, discharging, distributing, disbursing,  
7 supplying, and selling water, or for carrying, collecting, dis-  
8 charging and disposing of sewerage matter and waters; said  
9 corporation may take and hold by purchase, or as for public  
10 uses, any real estate necessary therefor and may take, store  
11 and use the water of any well or spring in said Winthrop  
12, or from Narrows Pond, so called, situated in said Winthrop,  
13 or from Lake Maranacook, situated in Winthrop and Read-  
14 field, and said corporation may enter upon and excavate  
15 any highway or other way in such manner as least to ob-  
16 struct the same; to enter, pass over and excavate any lands  
17 and in general to do any acts necessary, convenient, inci-  
18 dent and proper for the carrying out of the purposes here-

19 inbefore specified. And said corporation is further author-  
20 ized for the purpose of making all needed repairs or service  
21 connections, to lay pipes through any public or private lands  
22 or ways, with the right to enter upon the same and dig  
23 therein; and the said corporation may establish written reg-  
24 ulations for the use of said water, and change the same  
25 from time to time.

Sect. 4. Said corporation shall file in the registry of deeds  
2 in the county of Kennebec, plans of the location of all land  
3 and water rights taken under the provisions of this act;  
4 and no entry shall be made upon lands, except to make  
5 surveys, until the expiration of ten days from said filing;  
6 and with such plan the corporation may file a statement of  
7 the damages it is willing to pay to any person for any prop-  
8 erty thus taken, and if the amount finally awarded does not  
9 exceed that sum, the corporation shall recover costs against  
10 such person, otherwise such person shall recover costs  
11 against the corporation.

Sect. 5. Said corporation shall be responsible for all dam-  
2 ages to persons and property occasioned by its use of the  
3 streets of said town and shall further be liable to pay to  
4 said town all sums recovered against it for damages from  
5 obstructions caused by said corporation.

Sect. 6. Should said corporation and the owner of land  
2 or interest therein be unable to agree upon the damages to  
3 be paid for such location, taking, holding, flowing and con-  
4 striction, the land owner or said corporation may, within

5 twelve months after said filing of plans of location, apply  
6 to the county commissioners of said county of Kennebec,  
7 and cause such damages to be assessed in the same manner  
8 and under the same conditions as are prescribed by law in  
9 the case of damages by the laying out of highways so far  
10 as such law is consistent with the provisions of this act.

Sect. 7. Said corporation is hereby expressly authorized  
2 and empowered to purchase and acquire the plants, proper-  
3 ties and franchises of any other corporations or individuals  
4 which now supply water to said town of Winthrop and  
5 such corporations and individuals are authorized to sell  
6 such plants, properties and franchises to this corporation.

Sect. 8. Said corporation may make contracts with any  
2 person, firm or corporation, or with the town of Winthrop,  
3 for the purposes mentioned hereinbefore and may make  
4 such reasonable charge therefor, for water for public or  
5 private use, or for entering into their sewerage system with  
6 private drain or sewers as they deem advisable.

Sect. 9. Any person who shall place or leave any offen-  
2 sive or injurious matter or materials on or in the pipes,  
3 conduits, aqueducts, standpipes, reservoirs, catch basins,  
4 fixtures or any other property held, owned, or used by said  
5 corporation for the purposes of this act, shall pay twice the  
6 amount of damages to said corporation to be recovered by  
7 any proper action, and every such person on conviction of  
8 either of such acts of wilful injury as aforesaid, shall be  
9 punished by fine not exceeding two hundred dollars, and

10 by imprisonment not exceeding one year.

\*Sect. 10. The capital stock of this said corporation shall  
2 be fifty thousand dollars and shall be divided into shares  
3 of twenty-five dollars each. The capital stock may, by vote  
4 of the corporation, be increased to one hundred thousand  
5 dollars.

Sect. 11. The affairs of said corporation shall be con-  
2 trolled by a board of directors, consisting of not less than  
3 three members and shall be elected annually by vote of the  
4 stockholders, and such board of directors shall choose such  
5 other officers as may from time to time be required by the  
6 by-laws of the corporation.

Sect. 12. Said corporation may issue bonds for the con-  
2 struction of its works, of any and all kinds upon such rates  
3 and time as it may deem proper and expedient, to an amount  
4 not exceeding its capital stock subscribed for, and secure  
5 the same by mortgage of its franchise and property.

Sect. 13. The first meeting of the corporation shall be  
2 called by written notice therefor, signed by any two of the  
3 above named incorporators, served upon each named incor-  
4 porator by giving him the same in hand, or by leaving the  
5 same at his last and usual place of abode, at least seven days  
6 before the time of meeting, or by publishing said notice in  
7 some newspaper published in said county of Kennebec.

Sect. 14. This act shall become null and void if a charter  
2 is granted, at this present session of this legislature, for the  
3 incorporation of a water district in said town of Winthrop,

4 and the same is accepted by the voters of said proposed  
5 district, and also in case the voters of said town of Winthrop  
6 do not vote to approve an act to supply the town of Win-  
7 throp with pure water which may be enacted at this session  
8 of the legislature.