

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SIXTIETH LEGISLATURE

OF THE
STATE OF MAINE.

1881.

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1881.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1881.

Chapter 124.

CHAP. 124

An act to incorporate the Biddeford and Saco Water Company.

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

SECT. 1. James M. Andrews, Edward W. Staples, Horace Ford, Alfred Goodwin, R. W. Randall, William Hill, George W. Donnell, Samuel G. Twambley, Albert K. Cleaves, E. H. Banks, C. E. Hussey, Thomas Haley, W. H. Field, O. H. Staples, Oliver C. Clark, John S. Derby, John Quimby, George F. Owen, William J. Bradford, Enoch Lowell, with their associates and successors, are hereby made a corporation by the name of the Biddeford and Saco Water Company, for the purpose of conveying to, and supplying the cities of Biddeford and Saco, in York county with pure and wholesome water; and said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount two hundred and fifty thousand dollars.

Corporators.

Corporate name.

SECT. 2. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Kennebunk pond, or Saco river, or either of them, in either or all the towns of Lyman, Hollis or city of Biddeford; and is also authorized to erect, maintain dams and reservoirs, and lay and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said corporation may take and hold any lands necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

Authorized to take and use certain waters and erect dams and reservoirs.

SECT. 3. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land, or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

Damages and adjustment thereof.

CHAP. 124

Authorized to lay pipes, etc.

SECT. 4. Said corporation is hereby authorized to lay down, in and through the streets and ways in said towns of Lyman, Hollis, or the cities of Biddeford and Saco, all such pipes, aqueducts, and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the aldermen and selectmen of said towns and cities may impose. Said corporation shall have no authority to lay down in and through the streets and ways in said city of Saco, any pipes, aqueducts or fixtures, unless and until the said city of Saco by a majority vote of its citizens at any legal meeting called for that purpose shall consent thereto. And said corporation shall be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said cities and towns all sums recovered against said cities and towns for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

Consent of the citizens of Saco required.

Liability for damages.

May cross and change direction of sewers.

SECT. 5. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby.

Surveys to be made and notice of location to be published.

SECT. 6. Said corporation shall cause surveys to be made for the purpose of locating their dams, reservoirs and pipes and other fixtures, and cause accurate plans of such location to be filed in the office of the city clerk of said Biddeford, and notice of such location shall be given to all persons affected thereby, by publication in some public newspaper in said county; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from the said filing and publication.

Penalty for injuring property or corrupting waters

SECT. 7. Any person who shall willfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Kennebunk pond and Saco river, or any of their tributaries, in any manner whatever, or render them impure, whether the same be frozen or not, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

SECT. 8. The capital stock of said corporation shall be two hundred thousand dollars, which may be increased to two hundred and fifty thousand dollars by a vote of said corporation; and said stock shall be divided into shares of fifty and one hundred dollars each.

CHAP. 125

Capital stock.

SECT. 9. Either of the cities of Biddeford and Saco are hereby authorized to subscribe to the stock of said corporation to an extent not exceeding two hundred and fifty thousand dollars, by a majority vote, at any legal meetings called for that purpose, and the mayor and city councils, or either of them, may take possession and complete said water works.

Biddeford and Saco may subscribe to the stock.

SECT. 10. The first meeting of said corporation may be called by a written notice thereof, signed by any seven corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting, how called.

SECT. 11. This act shall take effect when approved.

Approved March 12, 1881.

Chapter 125.

An act additional to acts incorporating the "Kennebec Log Driving Company," the "Dead River Log Driving Company," and the "Moose River Log Driving Company."

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

The directors of the "Kennebec Log Driving Company," the "Dead River Log Driving Company," and the "Moose River Log Driving Company," in making the assessment authorized by their several acts of incorporation, shall have the right to make overlayings to cover the whole or such part of the cost of improvements and losses as they may deem just and equitable, or such part of said sums as the companies at any legal meeting may vote.

Directors, in making assessments, may make overlayings.

Approved March 12, 1881.