

# 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

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

---

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

---

AUGUSTA:  
SPRAGUE & SON, PRINTERS TO THE STATE.  
1887.

# ACTS AND RESOLVES

OF THE

## SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

---

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

---

AUGUSTA:  
BURLEIGH & FLYNT, PRINTERS TO THE STATE.  
1889.

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

---

## Chapter 350.

An Act to incorporate the Agamenticus Water Company.

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

- Corporators.**      **SECT. 1.** Mark F. Wentworth, John Wentworth, Edward S. Marshall, Samuel W. Junkins, Wilson M. Walker, Timothy Dame, Moses A. Safford, John B. Donovan and Lucius H. Kendall, with their associates and successors, are hereby made a corporation, by the name of the Agamenticus Water Company, for the purpose of conveying to, and supplying the towns of York, Eliot and Kittery, with pure water for domestic and municipal purposes, including the extinguishing of fires, the supply of shipping, and the use of manufacturing establishments, and also to any individuals or corporations connecting with the works of this corporation, at any part of the state line.
- Corporate name.**
- purposes.**
- May hold real estate.**      **SECT. 2.** Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount, three hundred thousand dollars.
- Authorized to take water from Folly and other ponds.**      **SECT. 3.** Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Folly pond and from any and all other ponds or streams between said Folly pond and the Fall Mill brook inclusive, in said York, or either of them and all streams tributary thereto in either or all the towns of York, Eliot and Kittery, and is also authorized to erect, maintain dams and reservoirs, and lay down 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, by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.
- to erect dams, etc.**
- Liability for damages.**      **SECT. 4.** Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any lands or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes or aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said act; 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 manner prescribed by law, in case of damage by laying out highways.

—how ascer-  
tained.

SECT. 5. Said corporation is hereby authorized to lay, construct and maintain in, under, through and along the highways, streets, railroads and bridges, in either of said towns, and to take up, replace and repair all such aqueducts, pipes, hydrants and structures, as may be necessary for the purpose of their incorporation, under such restrictions and regulations as the selectmen of said towns may impose. Said corporation shall further be liable to pay to said towns all such sums recovered against them, or either of them, for damages from obstructions or defects of said streets and highways, caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

Authorized to lay pipes, etc., under regulations by selectmen.

Liability for obstructing streets.

SECT. 6. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of the towns through which the pipes of the company may be or shall hereafter be located, for the supplying of water as contemplated by said act; and any town in which the pipes of this corporation shall be laid, are hereby authorized by the selectmen to enter into contract with the said company for a supply of water, as the towns herein named, and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

Authorized to make contracts to supply water.

—towns may contract for water.

SECT. 7. Said corporation is hereby authorized to lay, construct and maintain its pipes, under, in, and over tidal waters, and to build and maintain all necessary structures therefor, all to be done at such places as may be necessary for the purposes of said corporation, and not to obstruct navigation.

Authorized to lay pipes, etc., under and over tide waters.

SECT. 8. Said corporation is hereby authorized to purchase and acquire the property, rights and franchises, of the York Water Company.

Authorized to purchase property of York Water Co.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said ponds or streams, or in any way render such waters impure, whether frozen or not, or whoever shall throw the carcasses of dead animals, or other offensive matter into said water, or who shall wilfully destroy or injure any of the works of said corporation, shall be punished by a fine

Penalty for injuring property or corrupting waters.

CHAP. 351

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.

Capital stock.

SECT. 10. The capital stock of said corporation shall not exceed three hundred thousand dollars, and said stock shall be divided into shares of one hundred dollars each.

May issue bonds, and mortgage property.

SECT. 11. Said corporation may issue its bonds for the construction of its works upon such rates and time as it may deem expedient, not exceeding its capital stock, and secure the same by mortgage of the franchise and property of said company.

First meeting, how called.

SECT. 12. The first meeting of said corporation may be called by written notice thereof, signed by any two corporators herein named, served on 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.

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

Approved February 13, 1889.

### Chapter 351.

An Act authorizing and confirming all the proceedings of the town of Old Orchard, at a town meeting held May twenty eight, eighteen hundred and eighty-seven.

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

Doings of town, legalized.

SECT. 1. All the proceedings of the town of Old Orchard at a town meeting of said town held on the twenty-eighth day of May, in the year eighteen hundred and eighty-seven, and especially an ordinance passed at said meeting, entitled, "An ordinance providing for the supply of water to the town of Old Orchard, York county, Maine, and its inhabitants, authorizing the firm of Turner, Clarke and Rawson, of Boston, Massachusetts, and their successors or assigns, to construct and maintain water works in said town; contracting with said Turner, Clarke and Rawson, their successors or assigns, for a supply of pure water for public uses, and giving said town an option to purchase said works," and all and singular the provisions of said ordinance are hereby authorized, rati-