

MAINE STATE LEGISLATURE

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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.

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1889.

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 378.

An Act to incorporate the Bethel Water Company.

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

Corporators. SECT. 2. William E. Skillings, Addison E. Herrick, Enoch Foster, Samuel D. Philbrook, Enoch W. Woodbury, Gideon A. Hastings, Gilman P. Bean and Ceylon Rowe, with their associates and successors, are hereby made a corporation, by the name of the Bethel Water Company, for the purpose of conveying to and supplying the villages of Bethel Hill, Mayville and vicinity, including the Steam Mill district, all in Bethel, in the county of Oxford, with pure water.

—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 sixty thousand dollars.

Authorized to take water from Chapman brook. SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Chapman brook, so called, and all streams tributary thereto or running therefrom, in the towns of Bethel and Newry, county of Oxford, and is also authorized to erect and maintain reservoirs and dams, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water, and forming proper reservoirs therefor ; and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands, when necessary for the purposes of this incorporation.

—erect dams and lay pipes.
—may take land.

Liability for damages, and how ascertained. SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person 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 cannot 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 railroads.

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

Capital stock.

SECT. 6. Said corporation is hereby authorized to lay down, in and through the streets and ways in said town of Bethel, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation under such reasonable restrictions as may be imposed by the selectmen of said town. 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 town all sums recovered against said town 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.

Authorized to lay pipes in Bethel, under restrictions imposed by selectmen.

—liable for damage to streets.

SECT. 7. Said corporation is hereby authorized to make contracts with said town of Bethel, Bethel Village Corporation, and with other corporations and individuals for the purposes of supplying water as contemplated by said act; and said town of Bethel, by its selectmen, and said Bethel Village Corporation, by its assessors, are hereby authorized to enter into contracts with said company for the supply of water, and for such exemption from public burden as said town and Bethel Village Corporation and said company may agree upon, which, when made shall be legal and binding upon all parties thereto.

May make contracts to supply water.

Town may contract for water, and exempt from taxation.

SECT. 8. Said corporation shall have power to cross any water course, private or public sewer or to change the direction thereof when 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. Whenever the said company shall lay down any pipes in any street, or make alterations or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

May cross any private or public sewer.

—shall not obstruct public travel.

CHAP. 378

Authorized to lay pipes in, over, and under Androscoggin river.

Penalty for injuring property, or corrupting water.

May issue bonds, and mortgage property.

Act void, if works are not in operation within four years.

First meeting, how called.

SECT. 9. Said corporation is authorized to lay and maintain its pipes under, in, or over the Androscoggin river and to build and maintain all necessary structures therefor.

SECT. 10. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of the said Chapman brook or any of its tributary streams in any manner whatever, or render them impure whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant or other property held or owned by said corporation for the purposes of this act, shall be punished by a 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. 11. Said corporation may issue its bonds for the construction of its works, upon such rates and times as it may deem expedient, not exceeding fifty thousand dollars, and secure the same by mortgage of the franchise and property of said company.

SECT. 12. In case the works of this corporation shall not have been put into actual operation within four years from the date of the approval of this act, the rights and privileges herein granted shall be null and void.

SECT. 13. The first meeting of said corporation may be called by a written notice thereof, signed by any five 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.

SECT. 14. This act shall take effect when approved.

Approved February 16, 1889.