

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

HOUSE.

No. 6.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR.

AN ACT to incorporate the Devine Water Company.

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

SECTION 1. James Devine, James Devine, junior, 2 George H. Cross, W. H. Dunham and H. R. Swal- 3 low, with their associates and successors, are hereby 4 made a corporation by the name of the Devine Water 5 Company, for the purpose of conveying to the city of 6 Augusta a supply of pure water.

SECT. 2. Said corporation may hold real and per- 2 sonal estate necessary and convenient for the purpose 3 aforesaid, not exceeding in amount fifteen thousand 4 dollars.

SECT. 3. Said corporation is hereby authorized, for 2 the purposes aforesaid, to take and hold by purchase,

3 any land or real estate necessary for erecting and
4 maintaining reservoirs, and for laying and maintain-
5 ing aqueducts for conducting, discharging, and dis-
6 tributing of water, and of forming reservoirs and se-
7 curing springs and supplies of water therefor.

SECT. 4. In case said company and the owners of
2 land through which said aqueduct may pass, shall be
3 unable to agree upon the price to be paid therefor,
4 said company may take and use such right of laying
5 down and maintaining its aqueduct through such
6 land ; the damages to be ascertained and paid in the
7 manner prescribed for taking land for highways.

SECT. 5. The capital stock of said company shall
2 not exceed fifteen thousand dollars, and be divided in-
3 to shares of one hundred dollars each.

SECT. 6. Said corporation are hereby authorized to
2 lay down, and maintain in and through the streets of
3 said city of Augusta, all pipes, aqueducts and fixtures
4 necessary for the purposes of said company, and to
5 repair and replace all such pipes, aqueducts and fix-
6 tures as may be necessary, with as little obstruction to
7 public travel as may be practicable, at their own ex-
8 pense, under such restrictions and regulations as the city
9 government may prescribe ; *provided*, that no parallel
10 lines of pipes shall be laid in any public street unless
11 by the consent of the mayor and aldermen ; *and pro-*

12 *vided also*, that the strength and quality of said pipes
13 to be laid in any public street shall be first approved
14 by them.

SECT. 7. The mayor and aldermen shall have power
2 to regulate, restrict and control the acts of said cor-
3 poration which may, in any manner affect the health,
4 safety or convenience of the inhabitants of said city.

SECT. 8. Said corporation shall have all the powers
2 and privileges and be subject to all the duties of like
3 corporations, as defined by the general laws of this
4 State; *provided*, that nothing contained in this act
5 shall be construed as in any way affecting any rights
6 granted to or acquired by the Augusta water company
7 by virtue of its charter.

SECT. 9. The first meeting may be called by a
2 notice signed by one of the corporation and delivering a
3 copy thereof to each of the others, residing in said
4 city, stating the time and place of the meeting, five
5 days at least before the time specified.

SECT. 10. This act shall take effect when approved.

AMENDMENT A.

Amend section four, in the sixth line, by inserting
 2 after the word “damages” and before the word “to,”
 3 the word ‘first,’ so as to read “the damages first to
 4 be ascertained,” &c.

AMENDMENT B.

Amend section six by adding the words: “and if
 2 said company should purchase or use any pipes or
 3 aqueducts now laid in the streets of Augusta, said
 4 pipes or aqueducts shall be subject to the provisions of
 5 this act.”

AMENDMENT C.

Amend section eight, in line second, by inserting
 2 after “privileges” and before “and,” in said line,
 3 the words “not inconsistent with the special restric-
 4 tions in this act.”

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
 January 24, 1874. }

Taken from the table, amendments offered by Mr. NORTH of
 Augusta, pending which, ordered to be printed on motion of Mr.
 KEEGAN of Madawaska.

S. J. CHADBOURNE, *Clerk.*