

MAINE STATE LEGISLATURE

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FIFTY-EIGHTH LEGISLATURE.

SENATE.

No. 31.

STATE OF MAINE.

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

AN ACT to supply the people of Fryeburg village
with pure water.

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

SECTION 1. Asa O. Pike, John Locke, William
2 G. Spring, Frank A. Wiley, Harrison McNeal,
3 David R. Hastings, Daniel W. Bradley, Edward E.
4 Hastings, Cassius W. Pike, Albro R. Jenness, John
5 W. Thoms and Frank Y. Bradley, with their asso-
6 ciates and successors, are hereby made a corpora-
7 tion, by the name of the Fryeburg Water Company,
8 for the purpose of conveying to the village of Frye-
9 burg a supply of pure water for domestic and other
10 purposes.

SECT. 2. Said corporation may hold real and per-
2 sonal estate necessary and convenient for purposes

3 aforesaid, not exceeding in amount ten thousand
4 dollars.

SECT. 3. Said corporation shall be liable to pay
2 all damages that shall be sustained by any persons
3 in their property by the taking of any lands, or ex-
4 cavating through any land for the purpose of lay-
5 ing down or constructing reservoirs, and if any
6 persons sustaining damage as aforesaid, and said
7 corporation shall not mutually agree upon the sum
8 to be paid therefor, such person may cause his dam-
9 age to be assessed in the manner and under the
10 same conditions, restrictions and limitations, as are
11 by law prescribed in case of damage by laying out
12 of highways.

SECT. 4. The capital stock shall not exceed ten
2 thousand dollars, and shall be divided into shares
3 of twenty-five dollars each. Said capital stock shall
4 be applied exclusively to the supply and distribu-
5 tion of water for the purposes set forth in this act.

SECT. 5. Nothing in this act shall be construed
2 to affect or diminish the liability of said corporation
3 for any injury to private property by depreciating
4 the value thereof, or otherwise, but said corporation
5 shall be liable therefor in an action on the case.

SECT. 6. The said company are hereby authorized
2 to lay down, in and through, the streets of the vil-

3 lage of Fryeburg, or its surroundings in the town
 4 of Fryeburg, and to take up, replace and repair all
 5 such pipes, aqueducts and fixtures as may be neces-
 6 sary for the objects of their corporation, first having
 7 obtained the consent of the selectmen of said town
 8 therefor, and under such restrictions and regula-
 9 tions as said selectmen may see fit to prescribe;
 10 and any obstruction in any street of said village, or
 11 taking up or displacement of any portion of the
 12 street without the consent of the selectmen or con-
 13 trary to the rules prescribed herein, shall be con-
 14 sidered a nuisance, and said company shall be liable
 15 to indictment therefor, and to all the provisions of
 16 law applicable thereto; and said company shall in
 17 all cases be obliged to repay to said town all sums
 18 of money that said town shall be obliged to pay on
 19 any judgment recovered against said town for dam-
 20 ages occasioned by any obstructions, or taking up,
 21 or displacement of any street by said company, with
 22 or without consent of said town, together with
 23 counsel fees and costs made in defending any suit
 24 for damages as aforesaid with interest on the same,
 25 to be recovered in an action for money paid to the
 26 use of said company.

SECT. 7. Whenever the company shall lay down
 2 any pipes or aqueducts in any street, or make any

3 alterations or repairs upon their works in any street,
4 they shall cause the same to be done with as little
5 obstruction to the public travel as may be practi-
6 cable, and replace in proper condition the earth re-
7 moved by them. They shall not in any way impair
8 or obstruct any public or private drain.

SECT. 8. Any person who shall maliciously injure
2 any of the property of said company, or who shall
3 corrupt the waters, or render them in any manner
4 impure, or who shall wilfully destroy or injure any
5 dam or reservoir, aqueducts or pipes, or other prop-
6 erty held and used by said corporation, for the pur-
7 poses of this act, shall pay three times the amount
8 of damage to said company, to be recovered in any
9 proper action, and every such person on conviction
10 thereof of either of said acts, be punished by a fine
11 not exceeding one hundred dollars and imprison-
12 ment not exceeding six months.

SECT. 9. The first meeting of said corporation
2 may be called by a written notice signed by two of
3 the corporators, and posted conspicuously in two
4 or more public places in said village, five days be-
5 fore the time fixed for said meeting.

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

STATE OF MAINE.

IN SENATE, February 5, 1879.

Reported by Mr. ATWELL of Penobscot, from the Committee on Interior Waters, and on his motion laid on the table and ordered printed.

SAMUEL W. LANE, *Secretary.*