

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No. 6.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT to incorporate the Gardiner Water Company.

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

SECTION 1. John T. Richards, Weston Lewis
2 and Josiah S. Maxcy, with their associates and
3 successors, are hereby made a corporation by the
4 name of the Gardiner Water Company, for the pur-
5 pose of conveying to, and of supplying the inhabi-
6 tants of the city of Gardiner, and of the towns of
7 Farmingdale and Pittston, with water for all do-
8 mestic, sanitary, municipal and commercial pur-
9 poses; with all the rights and privileges, and
10 subject to all the liabilities and obligations of simi-

11 lar corporations, under the general laws of this
12 state.

SECT. 2. Said corporation may take and hold, by
2 purchase or otherwise, real and personal estate
3 necessary and convenient for the purpose aforesaid,
4 not exceeding two hundred and fifty thousand
5 (\$250,000) dollars.

SECT. 3. For any of the purposes aforesaid, or
2 for the preservation and purity of said water, said
3 corporation is hereby authorized to take, detain,
4 store and use, the waters of the Cobbosseecontee
5 River, so called, and of all streams flowing into
6 and out of the same, to conduct and distribute the
7 same into and through the city and towns aforesaid,
8 to survey for, locate, lay, erect and maintain suit-
9 able dams, reservoirs and machinery, pipes, aque-
10 ducts and fixtures; to carry its pipes or aqueducts
11 under or over any water course, bridge, street, rail-
12 road, highway or other way; and said corporation
13 is further authorized to enter upon and excavate
14 any highway, or other way, in such manner as least
15 to obstruct the same; to enter, pass over and ex-
16 cavate any lands, and to take and hold by purchase
17 or otherwise, any real estate, rights of way or of
18 water, and in general to do any acts necessary, con-
19 venient or proper, for carrying out any of the pur-

20 poses hereinbefore specified. And said corporation
21 is further authorized, for the purpose of making
22 all needed repairs or service connections, to lay its
23 pipes through any public or private lands or ways,
24 with the right to enter upon the same and dig
25 therein, and said corporation may establish written
26 regulations for the use of said water.

SECT. 4. Said corporation shall file in the Reg-
2 istry of Deeds, in the county of Kennebec, plans of
3 the location of all land and water rights taken
4 under the provisions of this act; and no entry
5 shall be made upon any lands, except to make sur-
6 veys, until the expiration of ten days from said
7 filing; and with such plan the corporation may
8 file a statement of the damages it is willing to pay
9 to any person for any property so taken, and if the
10 amount finally awarded does not exceed that sum,
11 the company shall recover costs against such per-
12 son, otherwise such person shall recover costs
13 against the company.

SECT. 5. Said corporation shall be held liable to
2 pay all damages that shall be sustained by any
3 persons, by the taking of any land, water, rights
4 of way, or other property, or by excavating through
5 any land for the purpose of surveying, locating,
6 laying or building dams, reservoirs, pipes and aque-

7 ducts, and for any other injuries resulting from said
8 acts, and if any person sustaining damage as
9 aforesaid, shall not agree with said corporation upon
10 the sum to be paid therefor, either party, on petition
11 to the County Commissioners of Kennebec County,
12 within twelve months after said plans are filed, may
13 have said damage assessed by them, and subsequent
14 proceedings, and right of appeal thereon, shall be
15 had in the same manner, and under the same con-
16 ditions, restrictions and limitations as are by law
17 prescribed in the case of damages by the laying
18 out of highways. Failure to apply for damages
19 within said twelve months shall be held to be a
20 waiver of the same.

SECT. 6. Said corporation is hereby authorized
2 to lay down and maintain in and through the streets
3 and ways of the city and towns aforesaid, all such
4 pipes, aqueducts and fixtures as may be necessary
5 for the purposes hereinbefore specified. Said city
6 and towns are hereby authorized to contract with
7 said corporation for a supply of said water, for
8 fire or other purposes, for a term of years, and, at
9 the expiration of said contract, to renew or change
10 the same.

SECT. 7. Whoever maliciously injures or destroys
2 any of the property of said corporation, or corrupts

3 the waters of said Cobbosseecontee River, or any
4 of the streams flowing into or out of the same,
5 whether frozen or not, or renders them in any
6 manner impure, after said corporation shall have
7 commenced taking the same, shall be punished by
8 imprisonment not over two years, or by fine not
9 exceeding one thousand (\$1000) dollars, and shall
10 also be liable to said corporation for three times
11 the actual damages, to be recovered in any proper
12 action.

SECT. 8. The capital stock of said corporation
2 shall not exceed two hundred and fifty thousand
3 (\$250,000) dollars. Manufacturing and other cor-
4 porations doing business in said city or towns, are
5 hereby authorized to subscribe for, and to hold stock
6 of said Gardiner Water Company.

SECT. 9. The first meeting of said corporation
2 may be called by a written notice thereof, signed
3 by any two corporators herein named, served upon
4 each corporator by giving him the same in hand,
5 or by leaving the same at his last and usual place
6 of abode, seven days, at least, before the time of
7 meeting.

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 16, 1885.

Reported from Committee on Judiciary, by Mr. HEATH; ordered
printed.

NICHOLAS FESSENDEN, *Clerk.*