

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)

Sixty-Fourth Legislature.

SENATE.

No. 112.

STATE OF MAINE.

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

AN ACT to amend the charter of the Eastport Water
Company.

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

SECTION 1. The Eastport Water Company is hereby
2 authorized for the purposes named in its act of incorpo-
3 ration to take and use water from Boyden's Lake, so
4 called, in the town of Perry, and to conduct and dis-
5 tribute the same to and th ough the town of Eastport,
6 and in so doing to erect and maintain in said lake suitable
7 gate houses and to connect pipes and aqueducts therewith
8 to survey for, locate, lay and maintain suitable pipes and
9 aqueducts; to carry its pipes and aqueducts under or
10 over any water course, bridge, highway, or other way;
11 to enter upon and excavate any highway or other way in
12 such manner as least to obstruct the same; to enter, pass
13 over and excavate any lands necessary for the purposes

14 specified by this act ; to carry, lay and maintain said pipes
15 and aqueducts along and within the limits of any high-
16 way, across any bridge, and through any lands necessary ;
17 to take and hold, by purchase or otherwise, any real
18 estate necessary for the purposes authorized by this act.

SECT. 2. Said corporation shall file in the registry of
2 deeds, in the county of Washington, plans of the location
3 of all lands and water rights taken under the provisions
4 of this act ; any plan of water rights shall specify the
5 area of the aperture of the pipe or pipes at said gate
6 houses and the maximum amount of water to be daily
7 drawn therefrom ; and notice of the substance of said
8 plans shall be published three weeks successively in some
9 newspaper published in said town of Eastport ; and no
10 entry shall be made upon any lands, except to make
11 surveys, until ten days after the last publication in said
12 newspaper. New plans may be filed, with specifications
13 as aforesaid, when it becomes necessary to increase the
14 maximum daily amount of water to be taken.

SECT. 3. Said corporation shall be held liable to pay
2 all damages that shall be sustained by any person by the
3 taking of any land, water, rights of way, or other
4 property, or for any other injuries resulting from said
5 acts ; and if any person sustaining damage as aforesaid
6 shall not agree with said corporation upon the sum to be
7 paid therefor, either party, on petition to the county
8 commissioners of Washington county, within twelve
9 months after said plans are filed, may have said damage
10 assessed by them, and subsequent proceedings and right
11 of appeal thereon shall be had in the same manner and
12 under the same conditions, restrictions and limitations as

13 are by law prescribed in case of damage by laying out
14 of highways. Failure to apply as aforesaid within said
15 twelve months shall be held to be a waiver of said
16 damages. In case said company shall begin to take water
17 from said Boyden's lake before the rendition of judgment
18 on any claim for damages therefor, any person or persons
19 petitioning for assessment of such damages may require
20 said company to file its bond or bonds with said county
21 commissioners in such sum and with such sureties as they
22 approve, conditioned to pay such judgment or judgments
23 upon the rendition thereof. If said company fails to file
24 said bonds within a reasonable time, it may be restrained
25 by injunction from taking water from said lake until said
26 bond or bonds shall be filed.

SECT. 4. Said corporation is hereby authorized to
2 increase its bonded indebtedness by issuing additional
3 bonds, not exceeding fifty thousand dollars, so that the
4 whole bonded indebtedness of said corporation shall not
5 exceed one hundred and twenty thousand dollars. Such
6 increase shall be made by vote of the stockholders of said
7 corporation and the proceeds shall be devoted exclusively
8 to extending its works to said Boyden's lake.

SECT. 5. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE. February 18. 1889.

Reported by Mr. HEATH, from Committee on Judiciary, and laid on table to be printed, on motion by the same senator.

C. W. TILDEN, *Secretary.*