

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 284.

STATE OF MAINE.

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

AN ACT to make valid the doings of Penobscot Water and
Power Company, and for other purposes.

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

SECTION 1. The organization of Penobscot Water and
2 Power Company, a corporation organized under the gen-
3 eral laws of the State of Maine, the certificate of organiza-
4 tion of which corporation was filed in the office of the
5 Secretary of State, on the first day of November, 1889, is
6 hereby ratified and confirmed.

SECT. 2. Said corporation is authorized and empowered
2 to take water from Penobscot river sufficient for domestic,
3 sanitary, fire, municipal and all other purposes incidental

4 thereto, including the running of water motors, in the
5 towns of Old Town, Milford, Orono and Veazie, and the
6 city of Brewer, in the county of Penobscot, and also in
7 Old Town (or Indian) Island.

SECT. 3. Said corporation is authorized to take and
2 convey through said towns and island and to all parts
3 thereof, the water of Penobscot river by aqueducts or
4 pipes sunk to any depth desirable for the purpose; and
5 may also take and hold by purchase or otherwise any land
6 necessary for laying and maintaining pipes, aqueducts,
7 hydrants and reservoirs for taking, conducting, holding,
8 discharging and distributing water; and also dig up and
9 excavate any highway and fill the same under the direc-
10 tion and subject to the approval of the municipal officers
11 of the town wherein such highway may be located.

SECT. 4. Whoever shall in any way knowingly and wil-
2 fully pollute the water of said river within the limits of the
3 towns of Old Town, Milford, Orono or Veazie, and said
4 Old Town island, whether frozen or not, after said corpora-
5 tion shall have commenced taking the same, and whoever
6 shall wilfully injure any of the works of said corporation,
7 shall be punished by imprisonment not over two years, or
8 by fine not exceeding one thousand dollars, and shall be
9 liable for an action of damages.

SECT. 5. Said corporation may take and hold real estate
2 in said city, towns and island by purchase, lease or other-
3 wise as may be necessary for carrying out the purposes
4 contemplated by sections two and three of this act; and
5 if said corporation and the owner or owners of such real
6 estate cannot agree upon the price to be paid therefor, the
7 value of the real estate so taken shall be determined by

8 the commissioners of the county of Penobscot on petition
9 of either party. Damages and values shall be assessed
10 and estimated as in the case of laying out of highways,
11 and from the award of the county commissioners either
12 party may appeal to the Supreme Judicial Court.

SECT. 6. All acts heretofore done by said corporation in
2 pursuance of the objects specified in its certificate of incor-
3 poration in supplying the towns of Old Town, Milford
4 and Veazie with water works and water mains, service
5 pipes and hydrants; in laying its mains across the bed of
6 the Penobscot river, (a) from Old Town to Treat and
7 Webster's island, (b) from Bangor to Brewer, and (c)
8 across the bed of the Stillwater branch of the Penobscot
9 river in that part of Old Town known as Stillwater village
10 and in laying its mains from Veazie to Brewer as the same
11 are now located and in making connection with the system
12 of the Brewer Water Company, are hereby ratified and con-
13 firmed; and said corporation may forever maintain and
14 operate said works, mains, pipes and hydrants, and do all
15 things necessary to maintain and operate and keep the
16 same in repair.

SECT. 7. Said corporation is hereby authorized to lay
2 its mains across the bed of Penobscot river from the west
3 bank thereof in Old Town to said Old Town island; across
4 said island and across the bed of said river to the east bank
5 thereof in Milford.

SECT. 8. The acts of the towns of Old Town, and
2 Veazie heretofore had, in licensing said corporation to lay,
3 operate and maintain its mains, pipes and hydrants in the
4 streets and roads of said towns respectively, and in con-
5 tracting with said corporation for a supply of water for

6 municipal and sanitary purposes and for the extinguish-
7 ment of fires by hydrants or otherwise, are hereby
8 authorized, ratified and confirmed. And the towns of
9 Orono and Milford are hereby authorized to contract with
10 said Penobscot Water and Power Company for a supply
11 of water for municipal and sanitary purposes and for the
12 extinguishment of fires.

SECT. 9. The deed of real estate in Old Town, Maine,
2 from the Bodwell Water Power Company to Penobscot
3 Water and Power Company, dated June 9th, 1890, and
4 the lease for nine hundred and ninety-nine years of water
5 rights, water power and other easements from Bodwell
6 Water Power Company to Penobscot Water and Power
7 Company, dated June 9th, 1890, are hereby ratified and
8 confirmed.

SECT. 10. Said corporation may sell or lease its prop-
2 erty and franchises to any person or corporation, and may
3 accept in payment for such sale cash, or the stock or
4 bonds, or stock and bonds of such purchasing corporation
5 in such proportions of cash, stock and bonds as may be
6 agreed upon, and said corporation may become a stock-
7 holder in any other corporation of similar purposes in
8 whole or in part, or may purchase the franchises and prop-
9 erty of any corporation of similar purposes in whole or in
10 part.

SECT. 11. The acts of Penobscot Water and Power
2 Company hitherto done in issuing its bonds and mortgag-
3 ing its franchises and property to secure the payment of
4 said bonds are hereby ratified and confirmed.

SECT. 12. Section six (6,) seven (7,) and eight (8,)
2 of chapter two hundred seventy-nine, (279,) of the

3 Special Laws of eighteen hundred eighty-three, (1883,
4 are hereby repealed.

SECT. 13. This act shall take effect when approved.



REPORT OF COMMITTEE.

The Committee on the Judiciary to which was referred the bill, entitled, "An Act to make valid the doings of the Penobscot Water and Power Company," have had the same under consideration, and ask leave to report that the same ought to pass.

STEARNS, *for Committee.*

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 18, 1891. }

Tabled, pending acceptance of report, by Mr. STEARNS of Caribou
and report and bill ordered printed.

W. S. COTTON, *Clerk.*