

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:  
BURLEIGH & FLYNT, PRINTERS TO THE STATE.  
1892.

NEW DRAFT.

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# Sixty-Fifth Legislature.

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SENATE.

No. 154.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Orono Water Company.

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

SECTION 1. Albert White, A. F. Lewis, E. N. Mayo and  
2 Geo. F. Lunt, with their associates, successors and assigns,  
3 are hereby incorporated a body politic by the name of the  
4 Orono Water Company, for the purpose of supplying the  
5 town of Orono, or any part thereof, with pure water for  
6 domestic, manufacturing, private and public uses.

SECT. 2. Said corporation may for said purposes, hold  
2 real and personal estate as may be necessary for the pur-  
3 poses of said corporation.‡

SECT. 3. Said corporation is hereby authorized, for the  
2 purposes aforesaid, to make the necessary surveys, to  
3 take, hold and convey to the town of Orono and through  
4 any part thereof, the water of any river, spring, natural  
5 or artificial pond, brook or other water sources in said  
6 town in the county of Penobscot; and said corporation  
7 may take and hold by purchase or otherwise, any real  
8 estate necessary for the preservation and purity of the  
9 same, and for laying and maintaining aqueducts and pipes  
10 for distributing the water so taken and held; and may  
11 lay its water pipes through any private lands, with the  
12 right to enter upon the same and dig therein for the pur-  
13 pose of making all necessary repairs or service connections;  
14 and for the purposes aforesaid may lay its pipes under or  
15 over any water course, street, railroad, highway or other  
16 way in such a manner as not unnecessarily to obstruct the  
17 same; and may lay down in, and through the streets and  
18 ways in said town of Orono, and to take up, replace and  
19 repair all such pipes, aqueducts or fixtures as may be  
20 necessary for the purpose of their incorporation, under  
21 such reasonable restrictions as the selectmen of said town  
22 may impose; and said corporation shall be responsible  
23 for all damages to persons or property occasioned by the  
24 use of such streets and ways, and shall pay to said town  
25 all sums recovered against said town, for damages from  
26 obstruction caused by said corporation, and for all ex-  
27 penses, including reasonable counsel fees incurred in  
28 defending such suits, with interest on the same.

SECT. 4. Said corporation shall pay all damages that  
2 shall be sustained by any persons by taking of any land  
3 or other property, or by flowage, or by excavating through

4 any land for the purpose of laying down pipes and aque-  
5 ducts, building dams and reservoirs, and damages for any  
6 other injuries resulting from said acts; and if any person  
7 sustains damages as aforesaid, and the amount thereof  
8 cannot be mutually agreed upon, such person may cause  
9 his damage to be assessed in the same manner and under  
10 the same conditions, restrictions and limitations as are by  
11 law prescribed in the case of damages by the laying out  
12 of highways.

SECT. 5. Said corporation may make contracts with  
2 the State College of Agriculture, the State of Maine, the  
3 county of Penobscot, the towns through which the pipes  
4 of the company may be located, or with the corporations  
5 and individuals of said towns for supplying water, as con-  
6 templated in this act, and said corporation may establish  
7 and fix from time to time, rates for the use of said water  
8 and collect the same; and the town of Orono, by majority  
9 vote of its selectmen, is hereby authorized to contract for  
10 a supply of water for the extinguishment of fire or other  
11 purposes, for a term of years with said corporation, pro-  
12 vided the contract be assented to by said town by a  
13 majority vote of the voters present and voting thereon at  
14 any annual meeting or at a legal meeting called for that  
15 purpose.

SECT. 6. The capital stock of this corporation shall be  
2 thirty thousand dollars, and shall be divided into shares of  
3 one hundred dollars each. Said capital may be increased  
4 by a vote of this corporation.

SECT. 7. Said corporation may issue bonds for the con-  
2 struction of its works upon such rates and time as it may  
3 deem expedient, and secure the same by mortgage on the  
4 franchise and property of said corporation.

SECT. 8. Any person who shall wilfully injure any of  
2 the property of said corporation, or knowingly corrupt  
3 the source of its water supply, or of any of its tributaries,  
4 or in any manner defile them, or divert any of the water,  
5 whether the same be frozen or not, shall forfeit and pay  
6 to said company three times the amount of actual damages  
7 sustained, to be recovered in an action of tort; and on  
8 conviction of either of the wilful acts aforesaid, shall be  
9 punished by a fine not exceeding one thousand dollars or  
10 by imprisonment not exceeding one year.

SECT. 9. If said corporation shall not be organized and  
2 its works put in actual operation within three years of the  
3 approval of this act, the town of Orono shall succeed to  
4 all the rights and privileges herein granted.

SECT. 10. The first meeting of said corporation may be  
2 called by a notice signed by any two of the corporators,  
3 posted for five days before the day fixed for such meeting,  
4 in the post office in the said town of Orono.

SECT. 11. This corporation may contract with any other  
2 corporation of similar purposes to supply or be supplied  
3 with water.

SECT. 12. Chapter one hundred eighty-five of the  
2 private and special laws of 1887 is hereby repealed.

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

STATE OF MAINE.

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IN SENATE, March 5, 1891.

Reported by Mr. HAINES, from Committee on Legal Affairs, and laid  
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.