

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

HOUSE.

No. 66.

STATE OF MAINE.

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

AN ACT to incorporate the Union Water Company.

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

SECTION 1. Fred A. Alder, B. Burton, O. A. Burkett,
2 L. R. Morse, C. I. Burrows, all of Union and C. M.
3 Walker of Rockland, in Knox county, their associates,
4 successors, and assigns, are hereby incorporated by the
5 name of the Union Water Company, for the purpose of
6 supplying the village of Union, in the County of Knox,
7 and the inhabitants of said Union with pure water, for
8 industrial, manufacturing, domestic, sanitary and muni-
9 cipal purposes, including extinguishment of fires.

SECT. 2. Said company, for said purposes, may detain,
2 collect, take, store, use and distribute water from Sennebec

3 pond and the springs on Willard G. Drake's farm, also
4 from the springs on L. R. Morse's farm, or any other
5 water source or sources, within a radius of four miles of
6 Union common.

SECT. 3. Said Company is authorized to lay, construct
2 and maintain in, under, through, along and across the
3 highway, ways, streets, railroads and bridges in said
4 village, and to take up, replace and repair all such sluices,
5 aqueducts, pipes, hydrants and structures as may be nec-
6 essary for the purposes of their incorporation, under
7 such reasonable restrictions and conditions as the select-
8 men may impose. And said company shall be responsible
9 for all damages to all corporations, persons and property
10 occasioned by the use of such highway, ways and streets,
11 and shall further be liable to pay to said town all sums
12 recovered against said town for damages from obstruc-
13 tions caused by said company, and for all expenses,
14 including reasonable counsel fees, incurred in defending
15 such suits, with interest on the same.

SECT. 4. Said company shall have power to cross any
2 water course, private or public sewer, or to change the
3 direction thereof when necessary for the purpose of their
4 incorporation, but in such manner as not to obstruct or
5 impair the use thereof, and said company shall be liable
6 for any injury caused thereby. Whenever said company
7 shall lay down any fixture in any highway, way or street,
8 or make any alterations or repairs upon its works in any
9 highway, way or streets, it shall cause the same to be

10 done with as little obstruction to public travel as may be
11 practicable, and shall, at its own expense, without unne-
12 cessary delay, cause the earth and pavements thus removed
13 by it, to be placed in proper condition.

SECT. 5. Said company is hereby authorized to lay,
2 construct and maintain its pipes under the highway, ways
3 and streets and to build and maintain all necessary struc-
4 tures therefor.

SECT. 6. Said company may take and hold any lands
2 necessary for reservoirs, hydrants, and other necessary
3 structures, and may locate, lay and maintain pipes,
4 hydrants, and other necessary structures or fixtures in,
5 over and through any land for its purposes, and excavate
6 in and through such lands for such locations, constructions
7 and maintenance. It may enter upon such lands to make
8 surveys and locations, and shall file in the registry of
9 deeds in said county of Knox, plans of such locations
10 and lands, showing the property taken, and within thirty
11 days thereafter, publish notice of such filing in some
12 newspaper in said county, such publication to be con-
13 tinued three weeks successively. Not more than two
14 rods in width of land shall be occupied by any one line
15 of pipe or aqueduct, and not one acre by any one reser-
16 voir.

SECT. 7. Should the said company and the owner of
2 such land be unable to agree upon the damages to be paid
3 for such location, taking, holding and construction, the
4 land owner may, within twelve months after said filing of

5 plans of location, apply to the commissioners of said county
6 of Knox, and cause such damages to be assessed in the same
7 manner and under the same conditions, restrictions, and
8 limitations as are by law prescribed in the case of damages
9 by the laying out of highways, so far as such law is con-
10 sistent with the provisions of this act; if said company
11 shall fail to pay such land owner, or deposit for his use
12 with the clerk of courts of the county, the said location
13 shall be thereby invalid, and said company forfeit all
14 rights under the same, as against such land owner. Said
15 company may make a tender to any land owner damaged
16 under the provisions of this act, and if such land owner
17 recovers more damages than were tendered him by said
18 company, he shall recover costs, otherwise said company
19 shall recover costs. In case said company shall begin to
20 occupy such lands before the rendition of final judgment,
21 the land owner may require said company to file its bond
22 to him with said county commissioners, in sum and with
23 such sureties as they approve, conditioned for said pay-
24 ment or deposit. No action shall be brought against said
25 company for such taking, holding, and occupation, until
26 after such failure to pay or deposit as aforesaid.

SECT. 8. Any person or corporation suffering damage
2 by the taking and diverting water by said company as
3 provided by this act, may have his damages assessed in
4 the manner provided in the preceding section, and pay-
5 ment therefor shall be made in the same manner and with
6 the same effect. No action shall be brought for the same

7 until after the expiration of the time of payment. And
8 a tender by said company may be made with the same
9 effect as in the preceding section.

SECT. 9. Said corporation is hereby authorized to make
2 contracts with the United States and with corporations,
3 and inhabitants of said village of Union for the purpose
4 of supplying water as contemplated by this act. And
5 said village of Union is hereby authorized by its select-
6 men to enter into contract with said company, for a
7 supply of water for any and all purposes mentioned in
8 this act, and for such exemption from public burden as
9 said village and said company may agree, which, when
10 made, shall be legal and binding upon all parties thereto.

SECT. 10. Whoever shall wilfully or maliciously corrupt
2 the water of said company whether frozen or not, or
3 in any way render such water impure, or whoever
4 shall wilfully or maliciously injure any of the works of said
5 company, shall be punished by fine not exceeding one
6 thousand dollars, or by imprisonment not exceeding two
7 years, and shall be liable to said company for three times
8 the actual damage, to be recovered in any proper action.

SECT. 11. The capital stock of said company shall be
2 twenty-five thousand dollars, which may be increased to
3 fifty thousand dollars by a vote of said company, and said
4 stock shall be divided into shares of twenty-five dollars
5 each.

SECT. 12. Said company, for all of its said purposes,
2 may hold real and personal estate necessary and convenient

3 therefor, not exceeding in amount one hundred thousand
4 dollars.

SECT. 13. Said company may issue its bonds for the
2 construction of its works of any and all kinds, upon such
3 rates and time as it may deem expedient, not exceeding
4 the sum of one hundred thousand dollars, and secure the
5 same by mortgage of the franchise and property of said
6 company.

SECT. 14. The first meeting of said company may be
2 called by a written notice thereof, signed by any three
3 corporators herein named, served upon each corporator by
4 giving him the same in hand or by leaving the same at his
5 last usual place of abode, seven days before the time of
6 meeting.

SECT. 15. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
February 8, 1893. }

Reported by Mr. WEEKS of Fairfield, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*