

# MAINE STATE LEGISLATURE

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# Sixty-Sixth Legislature.

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HOUSE.

No. 230.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Lubec Water Company.

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

SECTION 1. James H. Gray, Clarence H. Clark, Walter  
2 B. Mowry, Alden W. Kelley, Henry B. Thayer, Thomas  
3 E. Vose and George S. Thayer, with their associates and  
4 successors, are hereby made a corporation by the name of  
5 the Lubec Water Company, for the purpose of conveying  
6 to and supplying the town of Lubec with pure water.

SECT. 2. Said corporation, for said purpose, may hold  
2 real and personal estate necessary and convenient therefor,  
3 not exceeding one hundred thousand dollars.

SECT. 3. Said corporation is hereby authorized for the  
2 purposes aforesaid to erect and maintain reservoirs and

3 stand-pipes and lay down and maintain pipes and aque-  
4 ducts necessary for the proper accumulating, conducting,  
5 discharging, distributing and disbursing of water, and  
6 forming proper reservoirs therefor, and said corporation  
7 may take and hold by purchase or otherwise, any lands or  
8 real estate necessary therefor, and may excavate through  
9 any lands when necessary for the purposes of this  
10 corporation.

SECT. 4. 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 or other property, or by flowage, or  
4 by excavating through any land for the purposes of laying  
5 down pipes and aqueducts, building dams, reservoirs;  
6 and also damages for any other injuries resulting from  
7 said acts; and if any person sustaining damage as afore-  
8 said, and said corporation can not mutually agree upon  
9 the sum to be paid therefor, such person may cause his  
10 damages to be ascertained in the same manner and under  
11 same conditions, restrictions and limitations as are by law  
12 prescribed in the case of damages by the laying out of  
13 railroads.

SECT. 5. The capital stock of said corporation shall be  
2 one hundred thousand dollars, said stock to be divided  
3 into shares of one hundred dollars each.

SECT. 6. Said corporation is hereby authorized to lay  
2 down in and through the streets and ways in said town  
3 of Lubec, and to take up, replace and repair all such  
4 pipes, aqueducts and fixtures as may be necessary for the

5 purposes of their incorporation, under such reasonable  
6 restrictions as may be imposed by the selectmen of said  
7 town, and said corporation shall be responsible for all  
8 damages to persons and property, occasioned by the use  
9 of such streets and ways, and shall further be liable to  
10 pay to said town all sums recovered against said town for  
11 damages from obstructions caused by said corporation,  
12 and for all expenses, including reasonable counsel fees  
13 incurred in defending such suits, with interest on same.

SECT. 7. Said corporation is hereby authorized to make  
2 contract, with said town of Lubec, and with other cor-  
3 porations and individuals, for the purpose of supplying  
4 water as contemplated by said act; and said town of  
5 Lubec by its selectmen, is hereby authorized to enter  
6 into contracts with said company for the supply of  
7 water, and such exemption from public burden as said  
8 town and said company may agree upon, which, when  
9 made, shall be legal and binding upon all parties thereto.

SECT. 8. Said corporation shall have power to cross  
2 any private or public sewer, or to change the direction  
3 thereof, when necessary for the purposes of this incor-  
4 poration, but in such manner as not to obstruct or  
5 impair the use thereof; and said corporation shall be  
6 liable for any injury caused thereby. Whenever the  
7 company shall lay down any pipes in any street, or make  
8 any alterations or repairs upon its works in any street, it  
9 shall cause the same to be done with as little obstruction  
10 to public travel as may be practicable, and shall at its

11 own expense, without unnecessary delay, cause the earth  
12 and pavements removed to be replaced in proper con-  
13 dition.

SECT. 9. Said corporation may issue its bonds for the  
2 construction of its works, upon such rates and terms as it  
3 may deem expedient, not exceeding eighty thousand  
4 dollars, and secure the same by mortgage of the franchise  
5 and property of said company.

SECT. 10. The first meeting of said corporation may be  
2 called by public notice, published in the Lubec Herald  
3 three weeks, said call to be signed by at least three of the  
4 corporators.

SECT. 11. This act shall take effect when approved.

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## STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
March 1, 1893.

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

W. S. COTTON, *Clerk.*