

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 69.

STATE OF MAINE.

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

AN ACT to incorporate the Dixfield Water Company.

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

SECTION 1. John S. Harlow, Henry O. Stanley, George
2 D. Bisbee, William G. Harlow, with their associates and
3 successors, are hereby made a corporation, by the name
4 of the Dixfield Water Company for the purpose of con-
5 veying to and supplying the village of Dixfield and vicin-
6 ity, including that portion of Peru, bounded on the east
7 by Spear's stream, on the south by James Demerritt farm,
8 on the west by Albert Frost farm and on the north by
9 Androscoggin river, in the county of Oxford with pure
10 water.

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

SECT. 3. Said corporation is hereby authorized, for the
2 purposes aforesaid to take, detain and use the water of
3 any river, spring, natural or artificial pond, brook or
4 other water sources in the towns of Dixfield, Mexico and
5 Peru, county of Oxford, and is also authorized to erect
6 and maintain reservoirs and dams, and lay down and
7 maintain pipes and aqueducts necessary for the proper
8 accumulation, conducting, discharging, distributing and
9 disposing of water, and forming proper reservoirs there-
10 for, and said corporation may take and hold by purchase
11 or otherwise, any lands or real estate necessary therefor,
12 and may excavate through any lands, when necessary
13 therefor and may excavate through any lands, when nec-
14 essary for the purposes of this incorporation.

SECT. 4. Said corporation shall be held liable to pay all
2 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 purpose of laying
5 down pipes and aqueducts, building dams and 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 cannot mutually agree upon the
9 sum to be paid therefor, such person may cause his
10 damages to be ascertained in the same manner and under
11 the same conditions, restrictions and limitations as are
12 by law prescribed in the case of damages, by the laying
13 out of railroads.

SECT. 5. The capital stock of said corporation shall be
2 forty thousand dollars, which may be increased to sixty
3 thousand dollars by a vote of said corporation, and said
4 stock shall be divided into shares of fifty dollars each.

SECT. 6. Said corporation is hereby authorized to lay
2 down, in and through the streets and ways in said towns
3 of Dixfield, Mexico and Peru, and to take up, replace
4 and repair all such pipes, aqueducts and fixtures as may
5 be necessary for the purposes of their incorporation under
6 such reasonable restrictions as may be imposed by the
7 selectmen of said towns, and said corporation shall be
8 responsible for all damages to persons and property
9 occasioned by the use of such streets and ways, and
10 shall further be liable to pay to said towns or either of
11 them all sums recovered against either of said towns for
12 damages from obstruction caused by said corporation,
13 and for all expenses, including reasonable counsel fees,
14 incurred in defending such suits with interest on same.

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

SECT. 8. Said corporation shall have power to cross
2 any water course, private or public sewer or to change
3 the direction thereof when necessary for the purposes of
4 their incorporation, but in such manner as not to obstruct
5 or impair the use thereof; and said corporation shall be
6 liable for any injury caused thereby. Whenever the
7 said company shall lay down any pipes in any street, or

8 make alterations or repairs upon its works in any street,
9 it shall cause the same to be done with as little obstruc-
10 tion to public travel as may be practicable, and shall at
11 its own expense, without unnecessary delay, cause the
12 earth and pavements removed by it to be replaced in
13 proper condition.

SECT. 9. Said corporation is authorized to lay and
2 maintain its pipes under, in or over the Androscoggin and
3 Webb's rivers, and to build and maintain all necessary
4 structures therefor.

SECT. 10. Any person who shall wilfully injure any of
2 the property of said corporation, or who shall knowingly
3 corrupt the source of its water supply or of any of its
4 tributaries in any manner whatever, or render them im-
5 pure whether the same be frozen or not, or who shall
6 throw the carcasses of dead animals or other offensive
7 matter into said waters, or who shall wilfully destroy or
8 injure any dam, reservoir, aqueduct, pipe, hydrant or
9 other property, held or owned by said corporation for the
10 purposes of this act, shall be punished by a fine not
11 exceeding one thousand dollars, or by imprisonment not
12 less than one year, and shall be liable to said corporation
13 for three times the actual damage, to be recovered in any
14 proper action.

SECT. 11. Said corporation may issue its bonds for the
2 construction of its works, upon such rates and times as it
3 may deem expedient, not exceeding fifty thousand dollars,
4 and secure the same by mortgage of the franchise and
5 property of said company.

SECT. 12. The first meeting of said corporation may
2 be 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
5 his last usual place of abode seven days before the time of
6 meeting.

SECT. 13. In case this works of the corporation shall
2 not have put into actual operation within four years from
3 the date of the approval of this act the rights and privi-
4 leges herein granted shall be null and void.

STATE OF MAINE.

IN SENATE, February 17, 1893.

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

KENDALL M. DUNBAR, *Secretary.*