

# MAINE STATE LEGISLATURE

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# Sixty-Seventh Legislature.

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HOUSE.

No. 166.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Machias Water Company.

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

SECTION 1. John K. Ames, E. B. Curtis, George L.  
2 Leonard and William T. Haines, of Machias, with their  
3 associates and successors, are hereby made a corporation  
4 by the name of the Machias Water Company, for the  
5 purpose of supplying the inhabitants of Machias with  
6 suitable water for domestic, sanitary and municipal pur-  
7 poses, including extinguishment of fire; with all the  
8 rights and privileges, and subject to all the liabilities and  
9 obligations of similar corporations, under the general laws  
10 of this State.

SECT. 2. For any of the purposes aforesaid, or for the  
2 preservation and purity of said water, said corporation is

3 hereby authorized to take and use water from the Machias  
4 river, or from any spring, pond, brook or other water in  
5 the town of Machias, or from any spring, brook or pond  
6 in either of the adjoining towns, Marshfield or East  
7 Machias; to conduct and distribute the same into and  
8 through the said towns of Machias, Marshfield or East  
9 Machias; to survey for, locate, lay, erect and maintain  
10 suitable dams, reservoirs and machinery, pipes, aqueducts  
11 and fixtures; to carry its pipes or aqueducts under, in  
12 and over the Machias river, or Middle river, so-called, or  
13 under or over any water course, bridge, street, railroad,  
14 highway or other way; and said corporation is further  
15 authorized to enter upon and excavate any highway, or  
16 other way, in such manner as least to obstruct the same;  
17 to enter, pass over and excavate any lands, and to take  
18 and hold by purchase or otherwise, any real estate, rights  
19 of way or of water, and in general to do any acts neces-  
20 sary, convenient or proper, for carrying out any of the  
21 purposes hereinbefore specified. And said corporation is  
22 further authorized, for the purpose of making all needed  
23 repairs or extension or service connections, to lay its  
24 pipes through any public or private lands or ways, with  
25 the right to enter upon the same or dig therein, and said  
26 corporation may make written regulations for the use of  
27 said water, and change the same from time to time.

SECT. 3. Said corporation may take and hold by lease  
2 or purchase, real or personal estate necessary and convenient  
3 for the purposes aforesaid, not exceeding one hundred thou-  
4 sand dollars.

SECT. 4. Said corporation shall be held liable to pay  
2 all damages that shall be sustained by any person or cor-

poration by the taking of any land, water or other property, or by excavating through any land for the purpose of laying down pipes and aqueducts or building any reservoir, stand pipe, or other structures herein authorized to be built, and also damages for any injury resulting from said acts, and if any person sustaining damages as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, such damages may be ascertained in the same manner and under the same conditions and restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

SECT. 5. The capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and any manufacturing corporation doing business in said Machias, is hereby authorized to subscribe for and to hold stock in said Machias Water Company. Said corporation is hereby authorized to contract with any corporation in said town to furnish power and other conveniences to carry out the purpose of this corporation. And said corporation is hereby authorized to purchase and hold the franchise and property of the Machias Electric Light Company and to carry on the business of said electric light company.

SECT. 6. Said corporation is hereby authorized to make contracts with the United States and with the county of Washington and town of Machias and with other corporations and persons for the purpose of supplying water as contemplated by this act, and said town of Machias by its selectmen are hereby authorized to sign and execute any contract that may be entered into by the inhabitants of said town at any meeting legally called for

9 that purpose, for a term of years with said company for a  
10 supply of water for fire and other municipal purposes to  
11 said town, including the exemption or remission of taxes  
12 upon any real estate, fixtures, franchise and plant of said  
13 corporation as a part of the consideration of said contract,  
14 and said county commissioners are hereby authorized to  
15 contract with said company for water for county build-  
16 ings of said county.

SECT. 7. Said corporation may issue its bonds for the  
2 construction of its works, and purchase said Machias elec-  
3 tric light plant for such rates and times as it may be  
4 expedient, not to exceed the amount of capital stock sub-  
5 scribed for, and secure the same by mortgage upon its  
6 franchise and property of said corporation, including said  
7 electric light plant, in case the same shall be purchased by  
8 said corporation.

SECT. 8. In case any person injured by the taking of  
2 any land or other property for any of the purposes named  
3 herein and said corporation are unable to agree upon the  
4 amount of damages to be paid for said injury, said com-  
5 pany may make a tender to any such person of any sum  
6 for such damages, and if such person recovers more dam-  
7 ages than were tendered to him by said company, he shall  
8 recover costs, otherwise said company shall recover costs  
9 against said person. Failure, however, to apply for dam-  
10 ages as aforesaid within one year from the time said dam-  
11 ages are sustained shall be held to be a waiver of the  
12 same.

SECT. 9. The first meeting of said company may be  
2 called by a written notice thereof signed by any other  
3 incorporator, served upon each incorporator by giving in

4 hand or leaving the same at his last and usual place of  
5 abode seven days before the time of the meeting, and said  
6 first meeting shall be called and held in said town of  
7 Machias.

SECT. 10. This act shall take effect when approved.



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 20, 1895. }

Reported by Mr. HAINES of Waterville, from Committee on Judiciary,  
and ordered printed under House rules.

W. S. COTTON, *Clerk.*