

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# Sixty-Seventh Legislature.

---

---

HOUSE.

No. 202.

---

---

## STATE OF MAINE.

---

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

---

AN ACT to incorporate the Wiscasset Water Company.

---

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

SECTION 1. Henry Ingalls, William G. Hubbard,  
2 Alfred H. Lennox, Joseph P. Tucker, Albert S. Erskine,  
3 Richard H. T. Taylor, Richard T. Rundlett, Seth Patter-  
4 son, George B. Sawyer, William D. Patterson, Francis  
5 E. Johnson, Clarence A. Peaslee, Edward T. Hodge and  
6 Jesse White, their associates, successors and assigns, are  
7 hereby made a corporation by the name of the Wiscasset  
8 Water Company for the purpose of conveying to, and  
9 supplying the inhabitants of Wiscasset, in the county of  
10 Lincoln, with pure water for all domestic, sanitary, indus-  
11 trial and municipal purposes, and for the extinguishment  
12 of fires.

SECT. 2. Said corporation is hereby authorized, for the  
2 purposes aforesaid, to collect, take, hold and convey to  
3 said town of Wiscasset and through all parts thereof,  
4 from the Gardiner pond in said town or any other source  
5 of supply which may be selected, in Wiscasset or any  
6 adjoining town; to survey for, locate, lay, erect and main-  
7 tain all suitable dams, reservoirs, aqueducts, pipes,  
8 hydrants, machinery and other necessary structures and  
9 fixtures; to carry its pipes or aqueducts under, over or  
10 along any water course, creek, river, bridge, street, rail-  
11 road, highway or other way, but in such manner, how-  
12 ever, as not to unnecessarily obstruct the same, and for  
13 that purpose to enter upon and excavate any street, road  
14 or way in such manner as not to unnecessarily obstruct  
15 the same, and to take up, replace and repair all such  
16 pipes, aqueducts and fixtures as may be necessary or  
17 proper for said purposes, and to enter upon, and pass  
18 over, excavate and flow any lands, and to take and hold  
19 by purchase or otherwise, any lands, rights of way or  
20 water necessary or proper for reservoirs, gates, hydrants,  
21 dams or other necessary structures. And said corporation  
22 is further authorized for the purpose of making all neces-  
23 sary repairs, surveys or connections, to lay its pipes  
24 through any private or public lands or ways, with the  
25 right to enter upon the same and dig thereon, and said  
26 corporation may make written regulations for the use of  
27 said water. Said corporation shall be responsible for all  
28 damages to persons and property occasioned by such use  
29 of said streets and ways, and shall be further liable to  
30 pay to said town all sums recovered against said town for  
31 damages by reason of any defect in any highway, way or

32 street therein occasioned by any fault or neglect of said  
33 company, together with reasonable costs incurred in  
34 defending any such suits; provided, said company shall  
35 have notice of any suit wherein such damages are claimed,  
36 and shall be allowed to defend the same at its own expense.

SECT. 3. Said corporation shall file in the registry of  
2 deeds in the county of Lincoln, plans and descriptions of  
3 the location of all lands and water rights taken under the  
4 provisions of this act, and no entry shall be made upon  
5 any land except to make surveys, until the expiration of  
6 twenty days from such filing, and with such plan the cor-  
7 poration may file a statement of the damages it is willing  
8 to pay to any person for any property so taken, and if the  
9 amount finally awarded does not exceed the sum offered,  
10 the company shall recover costs against such person, other-  
11 wise such person shall recover costs against said company.

SECT. 4. Said corporation shall be liable to pay all  
2 damages that shall be sustained by any person by the tak-  
3 ing of any land or other property, or by flowage, or by  
4 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 said  
7 acts; and if any person sustaining damages as aforesaid,  
8 and said corporation cannot mutually agree upon the sum  
9 to be paid therefor, either party may cause such damages  
10 to be ascertained in the same manner and under the same  
11 conditions, restrictions and limitations as are by law pre-  
12 scribed in the case of damages by the laying out of rail-  
13 roads.

SECT. 5. Said corporation is hereby authorized to make  
2 contracts with said town of Wiscasset and with other

3 towns, corporations, associations and individuals, for the  
4 purpose of supplying them with water as contemplated by  
5 this act; and said town of Wiscasset is hereby authorized  
6 by its selectmen or duly authorized agents, to enter into  
7 contracts with said company for the supply of water and  
8 from such exemption from public burden as said town and  
9 said company may agree upon, which when made, shall be  
10 binding upon all parties thereto, and said town of Wis-  
11 casset for this purpose may raise money as for other town  
12 charges. Manufacturing and other corporations are hereby  
13 authorized to subscribe for and hold stock of said Wiscas-  
14 set Water Company.

SECT. 6. The capital stock of this company shall be  
2 fifty thousand dollars which may be increased by a vote of  
3 the company to one hundred thousand dollars, and shall be  
4 divided into shares of one hundred dollars each. And said  
5 company for the purposes of this charter may hold real and  
6 personal estate necessary or proper therefor not exceeding  
7 one hundred thousand dollars.

SECT. 7. Said corporation may issue its bonds for the  
2 construction of its works of any and all kinds at such rates  
3 of interest and on such time as it may deem expedient, to  
4 an amount not exceeding one hundred thousand dollars,  
5 and not exceeding the amount of stock subscribed for and  
6 secure the same by a mortgage of the franchises and prop-  
7 erty, present and prospective, of said company.

SECT. 8. The first meeting of the corporation may be  
2 called by any two of the three first named corporators  
3 herein named, by a written notice thereof signed by them,  
4 served upon each corporator by giving him the same in  
5 hand or by leaving the same at his last and usual place of  
6 abode, seven days at least before the time of said meeting.

SECT. 9. This act shall become null and void in two  
2 years from the approval hereof, unless the corporation shall  
3 have organized and commenced the actual construction of  
4 its works under this charter.

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



STATE OF MAINE.

---

HOUSE OF REPRESENTATIVES, }  
February 22, 1895. }

Reported by Mr. KNOWLTON of Portland, from Committee on  
Judiciary, and ordered printed under house rules.

W. S. COTTON, *Clerk.*