

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 271.

STATE OF MAINE.

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

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. Alden, 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, suc-
4 cessors, and assigns, are hereby incorporated by the name
5 of the Union Water Company, for the purpose of supply-
6 ing the village of Union, in the county of Knox, and the
7 inhabitants of said Union with pure water, for industrial,
8 domestic, sanitary and municipal purposes, including extin-
9 guishment of fires.

SECT. 2. Said company, for said purposes, may detain,
2 collect, take, store, use and distribute water from Senne-
3 bec pond and the spring on Millard G. Drake's farm, also

4 from the springs on L. R. Morse's farm or any other water
5 source or sources, within a radius of four miles of Union
6 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 neces-
6 sary for the purposes of their incorporation, under such
7 reasonable restrictions and conditions as the selectmen
8 may impose. And said company shall be responsible for
9 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 obstructions
13 caused by said company, and for all expenses, including
14 reasonable counsel fees, incurred in defending such suits,
15 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 structures 4 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, construc- 7 tions and maintenance. It may enter upon such lands to 8 make surveys and locations, and shall file in the registry 9 of 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 of 15 pipe or aqueduct, and not one acre by any one reservoir.

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 7 same manner and under the same conditions, restrictions 8 and limitations as are by law prescribed in the case of 9 damages by the laying out of highways, so far as such law 10 is consistent with the provisions of this act; if said com- 11 pany shall fail to pay such land owner, or deposit 12 for his use with the clerk of courts of the county, the 13 said location shall be thereby invalid, and said com-

14 pany forfeit all rights under the same, as against
15 such land owner. Said company may make a ten-
16 der to any land owner damaged under the provisions
17 of this act, and if such land owner recovers more damages
18 than were tendered him by said company, he shall recover
19 costs, otherwise said company shall recover costs. In
20 case said company shall begin to occupy such lands before
21 the rendition of final judgment, the land owner may require
22 said company to file its bond to him with said county com-
23 missioners, in sum and with such sureties as they approve,
24 conditioned for said payment or deposit. No action shall
25 be brought against said company for such taking, holding,
26 and occupation, until after such failure to pay or deposit
27 as aforesaid.

SECT. 8. Any person or corporation suffering damage
2 by the taking and diverting water by said company as pro-
3 vided by this act, may have his damages assessed in the
4 manner provided in the preceding section, and payment
5 therefor shall be made in the same manner and with the
6 same effect. No action shall be brought for the same until
7 after the expiration of the time of payment. And a ten-
8 der by said company may be made with the same effect as
9 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 of
4 supplying water as contemplated by this act. And said
5 village of Union is hereby authorized by its selectmen to
6 enter into contract with said company, for a supply of
7 water for any and all purposes mentioned in this act, and
8 for such exemption from public burden as said village and

9 said company may agree, which, when made, shall be
10 legal and binding upon all parties thereto.

SECT. 10. The capital stock of said company shall be
2 ten thousand dollars, and said stock shall be divided into
3 shares of twenty-five dollars each.

SECT. 11. Said company, for all of its said purposes,
2 may hold real and personal estate necessary and convenient
3 therefor, not exceeding in amount twenty thousand dollars.

SECT. 12. 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 the
4 sum of twenty thousand dollars, and not to exceed the
5 amount of capital stock subscribed for, and secure the same
6 by mortgage of the franchise and property of said company.

SECT. 13. The first meeting of said company may be
2 called by a written notice thereof, signed by any three cor-
3 porators 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. 14. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 1, 1895. }

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

W. S. COTTON, *Clerk.*