

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Seventh Legislature.

SENATE.

No. 144.

STATE OF MAINE.

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

AN ACT to incorporate the Sabattus Water Company.

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

SECTION 1. Charles Bigelow, J. Frank Vose, Charles
2 A. Dinsmore, Charles A. Amback and P. J. Sweeney
3 with their associates and successors, are hereby made a
4 corporation by the name of the Sabattus Water Company,
5 for the purpose of supplying the village of Sabattus, in
6 the towns of Webster and Greene and in the city of Lew-
7 iston east of Lewiston old line, in the county of Andros-
8 coggin and state of Maine, and vicinity, with pure water
9 for domestic, sanitary, industrial, and municipal purposes,
10 including the extinguishment of fires. And such corpo-
11 ration shall possess all the powers and privileges, and be

12 subject to all the liabilities and obligations imposed upon
13 corporations by law, except as herein otherwise provided.

SECT. 2. The place of business of said corporation shall
2 be at the village of Sabattus, in the town of Webster, in
3 the county of Androscoggin; and its business shall be con-
4 fined to the towns of Webster and Greene and that part of
5 the city of Lewiston east of Lewiston old line.

SECT. 3. Said corporation is hereby authorized, for the
2 purposes aforesaid, to take, flow, detain, and use the water
3 of Sabattus pond, or water from any spring, pond, brook,
4 or other suitable source of water supply, including artesian
5 wells, in said towns of Webster and Greene and the city
6 of Lewiston, excepting the spring in the old Eaton pasture
7 so-called, on land owned by Alex Martin, in Greene; said
8 corporation may drive or sink wells, erect and maintain
9 reservoirs and dams, lay down and maintain pipes and
10 hydrants necessary for accumulating, conducting, dis-
11 charging and disposing of water, and forming proper reser-
12 voirs therefor; and said corporation may take and hold
13 by purchase, or may take as for public uses, any lands or
14 real estate necessary therefor, and may excavate through
15 any lands when necessary for the purposes of this corpo-
16 ration, and may enter upon such lands to make surveys
17 and locations.

SECT. 4. Said corporation shall be held responsible to
2 pay all damages that shall be sustained by any person by
3 the taking of any lands or other property, or by flowage,
4 or by excavating through any land for the purpose of lay-
5 ing down pipes, aqueducts or hydrants, and also damages
6 for any other injuries resulting from said acts. If any
7 person sustaining damages as aforesaid and said corpora-
8 tion cannot mutually agree upon the sum to be paid there-

9 for, either party, on petition to the county commissioners
10 of the county of Androscoggin, filed within one year after
11 the filing in the registry of deeds of the plans required
12 by chapter two hundred eighty-four of the Laws of 1889,
13 entitled "An Act to prescribe the manner of the taking
14 of land or other property by water companies," may have
15 said damages assessed by said county commissioners, and
16 subsequent proceedings and right of appeal thereon shall
17 be had in the same manner and under the same conditions,
18 restrictions and limitations as are by law prescribed in the
19 case of damages by the laying out of highways, so far as
20 such law is consistent with the provisions of this act. No
21 action shall be brought against the said corporation for
22 such taking, holding, or occupation, until the expiration
23 of thirty days after final judgment upon such petition.
24 Failure to file such petition by any person claiming to
25 sustain such damages within said one year shall be held
26 to be a waiver of them.

SECT. 5. The capital stock of said corporation shall be
2 twenty-five thousand dollars, which may be increased to
3 fifty thousand dollars by a majority vote of said corpora-
4 tion; and said stock shall be divided into shares of a par
5 value of one hundred dollars each.

SECT. 6. Said corporation is hereby authorized to lay
2 down and maintain in, and through the streets and ways,
3 and under any railroads, in said towns of Webster and
4 Greene and said city of Lewiston, and to take up, replace
5 and repair, all such pipes, aqueducts, hydrants and fix-
6 tures as may be necessary for the purposes of its incor-
7 poration under such reasonable restrictions as may be
8 imposed by the municipal officers of said towns and city

9 within their respective limits. Provided that in case of
10 any crossing of a railroad, unless said corporation shall
11 agree with the company owning and operating such rail-
12 road, as to place, manner and conditions of the crossing,
13 the railroad commissioners shall determine the place,
14 manner and conditions of such crossing; and all work
15 within the limits of such railroad location shall be done
16 under the supervision and to the satisfaction of the officers
17 of such railroad company, but at the expense of this cor-
18 poration.

And said corporation shall be responsible for all dam-
20 ages to persons or property occasioned by the use of such
21 streets and ways, and shall further be liable to pay to
22 said towns and city all sums recovered against said towns
23 or city for damages from obstructions caused by said
24 corporation, and for all expenses, including reasonable
25 counsel fees incurred in defending such suits, with inter-
26 est on the same. Said corporation may purchase the pipe
27 line already laid by the Webster Woolen Company be-
28 tween the mills of said company in the village of Sabattus ;
29 and the acts of said Webster Woolen Company in laying
30 said pipe are hereby made valid, and upon such purchase
31 the Sabattus Water Company shall have the same rights,
32 and be subject to the same obligations relating thereto,
33 as if said pipe had been laid under the authority hereof.

SECT. 7. Said corporation is hereby authorized to make
2 contracts with said towns of Webster and Greene, and
3 said city of Lewiston, or with any village corporation
4 which may hereafter exist in said towns of Webster
5 and Greene, and with other corporations and individuals
6 for the purpose of supplying water as contemplated by

7 this act. And said towns of Webster and Greene, by
8 their selectmen, and said village corporation, by its asses-
9 sors, and said city of Lewiston are hereby authorized to
10 enter into contracts with said corporation for the supply
11 of water and for such exemption from public burden as
12 said towns and city and such village corporation and said
13 company may agree upon, which when made shall be
14 legal and binding upon all parties thereto.

SECT. 8. Said corporation shall have power to cross
2 any water-course, or public or private sewer, or to change
3 the direction thereof when necessary for the purposes of
4 its 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 said
7 company shall lay down any pipes in any street, or make
8 alterations or repairs upon its works in any street, it shall
9 cause the same to be done with as little obstruction to
10 public travel as may be practicable; and shall at its own
11 expense, without unnecessary delay, cause the earth and
12 pavements removed by it to be replaced in proper condi-
13 tion.

SECT. 9. Said corporation is hereby authorized to lay,
2 construct and maintain its pipes under, in, and over Sabat-
3 tus stream, and to build and maintain all necessary struc-
4 tures therefor.

SECT. 10. The Webster Woolen Company, or any
2 other corporation doing business in the towns of Webster
3 and Greene or the city of Lewiston is hereby authorized
4 and empowered to acquire, hold, and dispose of shares of
5 the capital stock, and mortgage bonds of said corporation.

SECT. 11. Said corporation, for the purposes aforesaid,
2 may hold real and personal estate necessary and convenient

3 therefor, not exceeding fifty thousand dollars. And it may
4 issue its bonds upon such rates and times as it may deem
5 expedient to an amount not exceeding the amount of its
6 capital stock subscribed for; and may secure the same by
7 a mortgage of its franchise and property.

SECT. 12. In case no portion of the works of this cor-
2 poration shall have been put into operation within two
3 years from the date of the approval of this act the rights
4 and privileges herein granted shall be null and void.

SECT. 13. The first meeting of said corporation may
2 be called by a written notice thereof, signed by any corpo-
3 rator herein named, served upon each corporator by giving
4 him the same in hand, or by leaving the same at his last
5 and usual place of abode seven days before the time of
6 meeting.

SECT. 16. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 22, 1895.

Reported by Mr. SAVAGE, from Committee on the Judiciary, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.