

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)

NEW DRAFT.

Sixty-Eighth Legislature.

HOUSE.

No. 114.

STATE OF MAINE.

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

AN ACT to incorporate the Orono Water Company.

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

Section 1. Edward N. Mayo, Amos F. Lewis, Edgar E.
2 Ring, Eben C. Webster, George H. Hamlin and Charles
3 J. Dunn of Orono, with their associates and successors, are
4 hereby made a corporation by the name of the Orono
5 Water Company, for the purpose of supplying the inhab-
6 itants of Orono with suitable water for domestic, sanitary
7 and municipal purposes, including extinguishment of fire;
8 with all the rights and privileges, and subject to all the liabili-

9 ties and obligations of similar corporations under the general
10 laws 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 "directly or through the pipes
4 of any other company upon such terms as may be agreed
5 upon with such other company," and use water from the
6 Penobscot river or its branches, or from any spring, pond,
7 brook or other water sources, natural or artificial, except such
8 springs as are in actual use for supplying water for domestic
9 purposes, in the town of Orono; to conduct and distribute
10 the same into and through the said town of Orono; to sur-
11 vey for, locate, lay, erect and maintain suitable dams, reser-
12 voirs and machinery, pipes, aqueducts and fixtures; to carry
13 its pipes or aqueducts under, in and over the Penobscot river,
14 or Stillwater river so called, or under or over any water
15 course, bridge, street, railroad, highway or other way; and
16 said corporation is further authorized to enter upon and
17 excavate any highway, or other way, in such manner as
18 least to obstruct the same; to enter, pass over and excavate
19 any lands, and to take and hold by purchase or otherwise,
20 any real estate, rights of way or of water, and in general to do
21 any acts necessary, convenient or proper, for carrying out
22 any of the purposes hereinbefore specified. And said cor-
23 poration is further authorized, for the purpose of making all
24 needed repairs or extension or service connections, to lay
25 its pipes through any public or private lands or ways, with

26 the right to enter upon the same or dig therein, and said cor-
27 poration may make written regulations for the use of said
28 water, and change the same from time to time. "But in
29 case of failure to agree with any railroad company as to
30 place, manner and conditions of crossing its railroad with
31 such pipes or aqueducts, the place, manner and conditions
32 of such crossing shall be determined by the railroad commis-
33 sioners and all work within the limits of the railroad location
34 shall be done under the supervision and to the satisfaction of
35 the officers and agents of the railroad company but at the
36 expense of said water company."

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

Sect. 4. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any person or corpora-
3 tion by the taking of any land, water or other property, or
4 by excavating through any land for the purpose of laying
5 down pipes and aqueducts or building any reservoir, stand-
6 pipe or other structure herein authorized to be built, and
7 also damages for any injury resulting from said acts, and if
8 any person sustaining damages as aforesaid and said cor-
9 poration cannot mutually agree upon the sum to be paid
10 therefor, such damages may be ascertained in the same
11 manner and under the same conditions and restrictions and
12 limitations as are by law prescribed in the case of damages
13 by the laying out of **railroads**.

Sect. 5. The capital stock of said corporation shall not
2 exceed one hundred thousand dollars, and shall be divided
3 into shares of twenty-five dollars each, and any manufac-
4 turing corporation doing business in said Orono, is hereby
5 authorized to subscribe for and to hold stock in said Orono
6 Water Company. Said corporation is hereby authorized
7 to contract with any corporation in said town to furnish
8 power and other conveniences to carry out the purpose of
9 this corporation.

Sect. 6. Said corporation is hereby authorized to make
2 contracts with the United States, the State of Maine, the
3 county of Penobscot, the town of Orono, the Maine State
4 College, and with other corporations and persons for the
5 purpose of supplying water as contemplated by this act, and
6 said town of Orono by its selectmen is hereby authorized
7 to sign and execute any contract that may be entered into by
8 the inhabitants of said town at any meeting legally called
9 for that purpose, for a term of years with said company
10 for a supply of water for fire and other municipal purposes
11 to 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.

Sect. 7. Said corporation may issue its bonds for the con-
2 struction of its works in such amounts, not to exceed the
3 amount of capital stock subscribed for, for such rates and
4 times as it may deem expedient, and secure the same by
5 mortgage upon the franchise and property of said corpora-
6 tion.

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

Sect. 9. The first meeting of said corporation may be
2 called by a written notice thereof signed by any other incor-
3 ator, served upon each incorporator by giving in hand or
4 leaving the same at his last and usual place of abode seven
5 days before the time of the meeting, and said first meeting
6 shall be called and held in said town of Orono.

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

February 18, 1897.

Reported by Mr. FLOYD of Brewer, from Committee on Legal Affairs,
and ordered printed under joint rules.

W. S. COTTON, Clerk.