

MAINE STATE LEGISLATURE

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Sixty-Eighth Legislature.

SENATE.

No. 64.

STATE OF MAINE.

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

AN ACT to incorporate the Vinalhaven Water Company.

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

Section 1. F. S. Walls, D. H. Glidden, Chas. F. Parks,
2 F. H. Sanborn and M. S. Bird, their associates and succes-
3 sors are hereby made a corporation by the name of the
4 Vinalhaven Water Company, for the purpose of furnishing
5 to the inhabitants of the town of Vinalhaven or any of the
6 inhabitants of Vinalhaven Island a supply of water for
7 domestic, manufacturing and mechanical purposes, and also
8 for the extinguishment of fires, and for other public uses,
9 with all the rights, privileges, immunities, duties and obliga-
10 tions incident to similar corporations.

Sect. 2. The capital stock of said corporation shall not
2 exceed one hundred thousand dollars; it may acquire and
3 hold real and personal estate necessary and convenient for
4 the purposes aforesaid, and it may issue bonds and other
5 obligations, secured by a mortgage on its franchise and other
6 property, to carry out the purposes for which it is created,
7 not to be exceed the amount of the capital stock subscribed
8 for.

Sect. 3. Said corporation may take and hold by purchase,
2 or may take as for public uses, any real estate or easement
3 therein, including the water of any pond or ponds, streams,
4 springs or artesian wells on the island of Vinalhaven, neces-
5 sary for obtaining a sufficient supply of water for the con-
6 struction of reservoirs and laying pipes; and may erect and
7 maintain all necessary dams, reservoirs, standpipes and
8 hydrants; it may lay its pipes through the lands of persons
9 and corporations, and under such restrictions and regula-
10 tions as may be prescribed by the board of selectmen, along
11 the streets, highways and other ways of said town; and it
12 may lay its pipes under any railroad, water course or private
13 way and cross any drain or sewer, provided that in the
14 matter of crossing any drain or sewer, it shall at its own
15 expense, and within reasonable time, replace, repair and
16 cover such drain or sewer as may be injured or disturbed
17 during the construction and repair of its water works, and
18 it may enter upon and dig up any real estate, railroad, street
19 or way, for the purpose of laying pipes or erecting hydrants
20 or other fixtures, and maintaining and repairing the same;
21 and it may do any other act or thing necessary, convenient

22 or proper to carry out the purpose of providing a supply of
23 water, and distributing the same to the inhabitants of said
24 town or said island for the uses aforesaid.

Sect. 4. Said corporation shall file in the registry of deeds
2 a certificate containing a description of the land purchased
3 or taken, or in which an easement is taken, under the pro-
4 visions of this act, and a statement of the purposes for which
5 it is taken will be recorded by the register, and such land
6 or easement shall be deemed to be taken on the filing of
7 such certificate, but this section shall not apply to the mains
8 laid in public ways, not to the service pipes leading from the
9 pipe for the purpose of distributing the water.

Sect. 5. Said corporation shall pay all damages sustained
2 by any person or corporation, by the taking of any land,
3 right of way, water, water source, water right, or easement,
4 or by the erection of any dam, or by any other thing done by
5 said corporation under the authority of this act, and said
6 persons or corporations sustaining damages as aforesaid,
7 may have the same determined in the manner provided by
8 law for the assessment of damages for lands taken for rail-
9 roads, upon application at any time within the period of
10 three years from the taking of such land or other property,
11 or the doing of other injury under the authority of this act;
12 but if no application is made within three years as aforesaid,
13 the party claiming to have suffered damages shall be deemed
14 to have waived his claim therefor.

Sect. 6. Said corporation may lay its pipes under tide
2 water, across any of the bays, channels or indentations of
3 the island, but in such manner as not to interfere with the

4 customary and usual uses of the same for the purposes of
5 navigation. It may also extend its pipes across the
6 Thoroughfare, so called, and supply water to the inhab-
7 itants of North Haven island. For the purpose of creating
8 power said corporation is authorized to build a dam across
9 any of the coves or bays and establish a tide mill.

Sect. 7. Said corporation may distribute the water
2 through said town of Vinalhaven and its vicinity; may regu-
3 late the use of said water, and fix and collect water rates to
4 be paid for the same; and said corporation shall be bound
5 to furnish at reasonable rates as aforesaid, water to the
6 inhabitants of said town for said uses within a reasonable
7 distance from the main pipe, and to said town in its cor-
8 porative capacity for public uses.

And said town is hereby authorized and so also is the
10 town of North Haven to contract with said corporation for
11 water for public uses, on such terms as the parties may
12 agree, including the remission of taxes upon the real estate,
13 fixtures and plant and on other property of said corpora-
14 tion and may raise money therefor in the same manner as
15 for other town charges.

Sect. 8. Any person who shall wilfully and maliciously
2 corrupt the waters of any of the sources of supply, or reser-
3 voirs of said corporation, or who shall leave or throw any
4 offensive matter or materials upon them when frozen over
5 or who shall wilfully injure any dam or reservoir, conduit,
6 pipe, hydrant, engine, water wheel, or any other property.

7 held, owned or used by said corporation for the purpose of
8 this act, shall pay three times the amount of damages to
9 said corporation, to be recovered in any proper action; and
10 shall be punished by a fine not exceeding one hundred
11 dollars, and by imprisonment not exceeding one year.

Sect. 9. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 11, 1897.

Reported by Mr. REYNOLDS of Cumberland, from Committee on
Legal Affairs, and laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.