

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

HOUSE.

No. 91.

STATE OF MAINE.

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

AN ACT to incorporate the Hebron Water Company.

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

Section 1. William E. Sargent, Henry K. Stearns, A. R.
2 Crane, Frank R. Glover, Percival Bonney, Sylvanus Bearce
3 and W. S. Bearce, with their associates and successors, are
4 hereby made a corporation under the name of the Hebron
5 Water Company, for the purpose of supplying the inhabi-
6 tants of the town of Hebron with suitable water for indus-
7 trial, domestic, sanitary and municipal purposes, including
8 the extinguishment of fire; with all the rights and privileges,
9 and subject to all the liabilities and obligations of similar
10 corporations under the laws of this State.

Sect. 2. For any of the purposes aforesaid, the said cor-
2 poration is hereby authorized to take and use water from

3 Hall's pond in the town of Paris, or from any spring, brook
4 or other waters in the town of Hebron; to conduct and dis-
5 tribute the same into and through the said towns of Paris
6 and Hebron; and to survey for, locate, construct, and main-
7 tain suitable and convenient dams, reservoirs, buildings,
8 machinery, lines of pipes, aqueducts, structures and appurte-
9 nances. It is expressly provided that any dam constructed at
10 the outlet of Hall's pond shall not exceed three and one-half
11 feet in height measured from the present bed of the outlet
12 from said pond.

Sect. 3. The said corporation is hereby authorized to lay,
2 construct and maintain in, under, through, along, over and
3 across the highways, ways, streets and bridges in the said
4 towns of Paris and Hebron, and to take up, replace and
5 repair, all such aqueducts, pipes, hydrants and other struc-
6 tures and fixtures, as may be necessary and convenient for
7 the said purposes of said corporation; and the said corpora-
8 tion shall be responsible for all damages to the said towns
9 and to all corporations, persons and property, occasioned by
10 such use of the said highways, ways and streets. Whenever
11 the said corporation shall lay down or construct any fixtures
12 in any highway, way or street, or make any alterations or
13 repairs upon its works in any highway, way or street, it shall
14 cause the same to be done with as little obstruction to public
15 travel as may be practicable, and shall at its own expense,
16 without unnecessary delay, cause the earth and pavement then
17 removed by it, to be replaced in proper condition.

Sect. 4. The said corporation is hereby authorized to take
2 and hold, by purchase or otherwise, any lands necessary for
3 flowage, and also for its dams, reservoirs, gates, hydrants,
4 buildings and other necessary structures, and may locate,
5 erect, lay and maintain aqueducts, lines of pipe, hydrants and
6 other necessary structures or fixtures, in, over and through

7 any land for the said purposes, and excavate in and through
8 such land for such location, construction and erection. And
9 in general to do any acts necessary, convenient or proper,
10 for carrying out any of the said purposes of incorporation.
11 It may enter upon such lands to make surveys and locations,
12 and shall file in the registry of deeds for the county of Ox-
13 ford, plans of such locations and lands, showing the property
14 taken, and within thirty days thereafter publish notice of
15 such filing in some newspaper in said county, such publica-
16 tion to be continued three weeks successively. Not more
17 than one rod in width of land shall be occupied by any one
18 line of pipe or aqueduct.

Sect. 5. Should the said corporation and the owner of any
2 land required for the said purposes of incorporation, be un-
3 able to agree upon the damages to be paid for such location,
4 taking, holding and construction, the land owner may, within
5 twelve months after the said filing of plans of location, apply
6 to the commissioners of said county of Oxford, and cause
7 such damages to be assessed in the same manner and under
8 the same conditions, as are prescribed by law in the case of
9 damages by the laying out of railroads. If the said corpora-
10 tion shall fail to pay such land owner, or deposit for his use
11 with the clerk of the county commissioners aforesaid, such
12 sums as may be finally awarded as damages, with cost when
13 recovered by him, within ninety days after notice of final
14 judgment shall have been received by the clerk of courts of
15 the said county, the said location shall be thereby invalid and
16 the said corporation shall forfeit all rights under the same,
17 as against the owner of the land. The said corporation may
18 make a tender to any land owner damaged under the provis-
19 ions of this act, and if such land owner recovers more dam-
20 ages than was tendered him by the said corporation, he shall
21 recover cost, otherwise the said corporation shall recover

22 cost. In case the said corporation shall begin to occupy such
23 land before the rendition of final judgment, the land owner
24 may require the said corporation to file its bond to him with
25 the said county commissioners, in such sums and with such
26 sureties as they may approve, conditioned for the payment
27 of the damages that may be awarded. No action shall be
28 brought against the said corporation for such taking, holding
29 and occupation, until after such failure to pay or deposit as
30 aforesaid. Failure to apply for damages within the said
31 twelve months, shall be held to be a waiver of the same.

Sect. 6. The said corporation is hereby authorized to
2 make contracts with the town of Hebron, with the inhabi-
3 tants thereof, or any person or corporation public or private,
4 for the supply of water for the purposes contemplated in this
5 act; and the said town and corporations by their proper offi-
6 cers, are hereby authorized to enter into contract with the
7 said corporation for a supply of water for any and all pur-
8 poses mentioned in this act, and for such exemption from
9 public burdens as the said town and the said corporations may
10 agree upon, which when made, shall be legal and binding
11 upon all parties thereto.

Sect. 7. Whoever shall knowingly or maliciously corrupt
2 the water supply of the said corporation, whether frozen or
3 not, or in any way render such water impure, or whoever
4 shall willfully or maliciously injure any of the works of the
5 said corporation, shall be punished by a fine not exceeding
6 one thousand dollars, or by imprisonment not exceeding two
7 years, and shall be liable to the said corporation for three
8 times the actual damage, to be recovered in any proper action.

Sect. 8. The capital stock of the said corporation shall be
2 ten thousand dollars, which may be increased to any sum not
3 exceeding twenty-five thousand dollars by a majority vote of

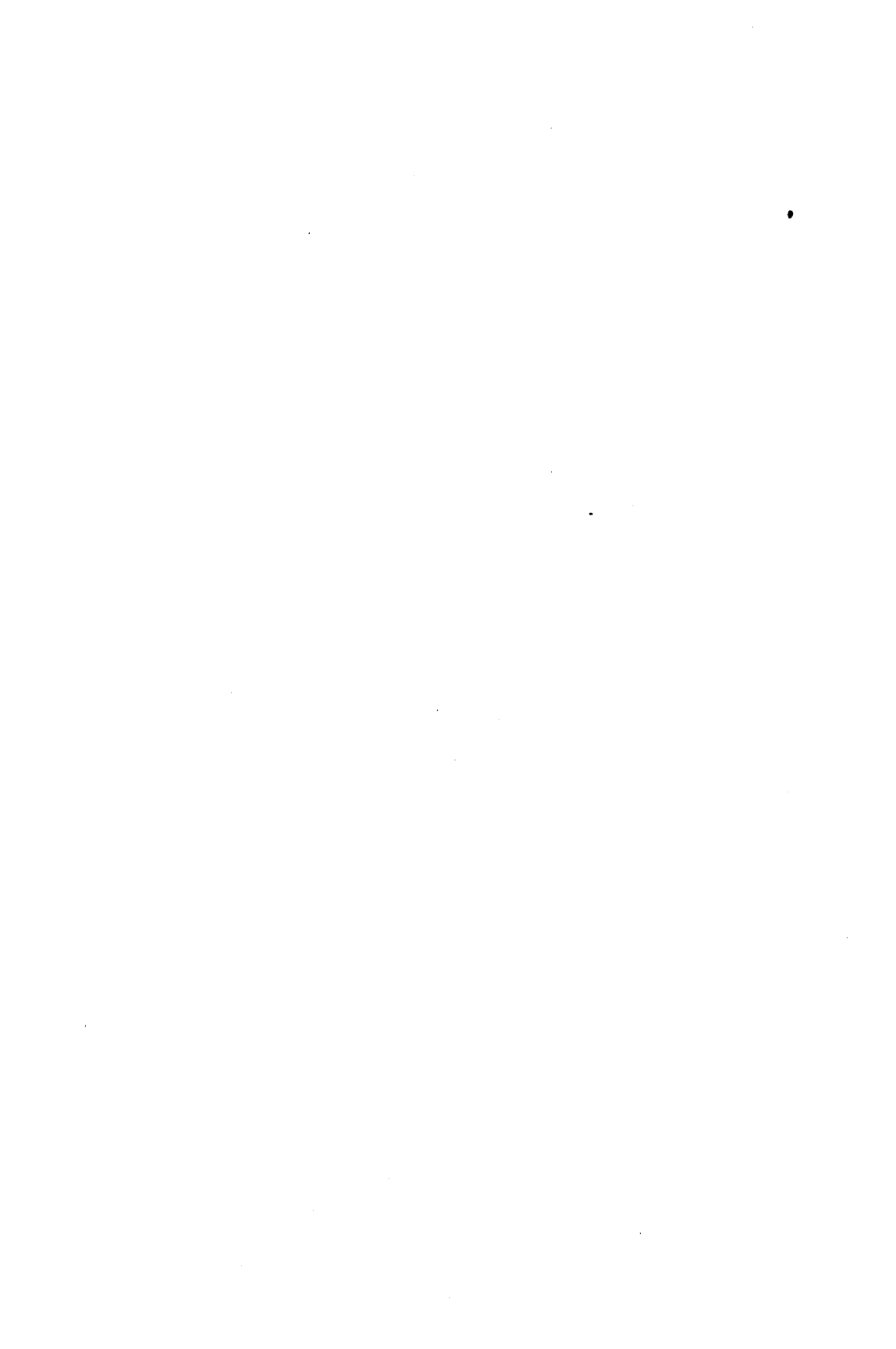
4 the stockholders of the said corporation ; and the stock shall
5 be divided into shares of fifty dollars each.

Sect. 9. The said corporation for all its said purposes, may
2 hold real and personal estate necessary and convenient there-
3 for, to the amount of twenty-five thousand dollars.

Sect. 10. The said corporation 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 to exceed the
4 amount of its capital stock, and secure the same by mortgage
5 of its franchise and property.

Sect. 11. The first meeting of said corporation shall be
2 called by a written notice thereof, signed by any one of the
3 named incorporators, served upon each named incorporator
4 by giving him the same in hand, or by leaving the same at
5 his last and usual place of abode, at least seven days before
6 the time of meeting, or by mailing such notice, postage paid,
7 to each incorporator directed to his place of residence seven
8 days at least before the time of said meeting.

Sect. 12. This act shall take effect when approved.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 10, 1899.

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

W. S. COTTON, *Clerk.*