

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

HOUSE.

No. 116.

STATE OF MAINE.

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

AN ACT to incorporate the Ripley Water Company of
Andover, Maine.

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

Section 1. J. Lyman Ripley, R. L. Melcher, Lewis W.
2 Ripley, John E. Akers, Asa A. West and Charles L. Ripley,
3 with their associates and successors, are hereby made a cor-
4 poration, by the name of the Ripley Water Company, of
5 Andover, Maine, for the purpose of conveying to and supply-
6 ing the village of Andover, Maine, with pure water for
7 domestic, industrial and sanitary purposes, including the ex-
8 tinguishment of fires.

Sect. 2. Said corporation for said purposes may hold real
2 and personal estate necessary and convenient therefor, not
3 exceeding forty thousand dollars.

Sect. 3. Said corporation is hereby authorized, for the
2 purposes aforesaid, to take, detain and use the water from
3 any spring or wells on land owned by S. W. Richards in
4 said town of Andover not already in use for such purposes,
5 and from any stream, or brook, tributary to Ellis river, or
6 to any of the branches of said Ellis river, in said Andover,
7 and is authorized to erect and maintain reservoirs and dams,
8 and lay down and maintain pipes and aqueducts necessary
9 for the proper accumulating, conducting, discharging, dis-
10 tributing and disposing of water, and forming proper reser-
11 voirs therefor; and said corporation may take and hold by
12 purchase or otherwise, any lands or real estate necessary
13 therefor, and may excavate through any lands, when neces-
14 sary for the purposes of this corporation.

Sect. 4. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any person by the taking
3 of any land or other property, or by flowage, or by excavating
4 through any land for the purpose of laying down pipes and
5 aqueducts, building dams and reservoirs, and also damages
6 for any other injuries resulting from said acts; and if any
7 person sustaining damage as aforesaid, and said corporation
8 cannot mutually agree upon the sum to be paid therefor, such
9 person may cause his damages to be ascertained in the same
10 manner and under the same conditions, restrictions and limi-
11 tations as are by law prescribed in the case of damages by the
12 laying out of highways.

Sect. 5. The capital stock of said corporation shall not
2 be less than five hundred dollars, and it may be increased by

3 vote of the corporation to forty thousand dollars, and said
4 stock shall be divided into shares of fifty dollars each.

Sect. 6. Said corporation is hereby authorized to lay down,
2 in and through the streets and ways in said town of Andover,
3 and to take up, replace and repair all such pipes, aqueducts
4 and fixtures as may be necessary for the purposes of their
5 incorporation under such reasonable restrictions as may be
6 imposed by the selectmen of said town. And said corpora-
7 tion shall be responsible for all damages to persons and
8 property occasioned by the use of such streets and ways, and
9 shall further be liable to pay to said town all sums recovered
10 against said town from obstruction caused by said corpora-
11 tion, and for all expenses, including reasonable counsel fees,
12 incurred in defending such suits, with interest on the same.

Sect. 7. Said corporation is hereby authorized to make
2 contracts with said town of Andover, and Andover village
3 corporation, and with corporations and individuals for the
4 purpose of supplying water as contemplated by said act; and
5 said town of Andover, by its selectmen, and said Andover
6 Village corporation, by its assessors, are hereby authorized
7 to enter into contracts with said company for the supply of
8 water and for such exemption from public burden as said
9 town, and village corporation, and said company may agree
10 upon, which, when made shall be legal and binding upon all
11 parties thereto.

Sect. 8. Said corporation shall have power to cross any
2 Water course, public or private sewer or to change the direc-
3 tion thereof when necessary for the purposes of their incor-
4 poration, but in such manner as not to obstruct or impair the

5 use thereof; and said corporation shall be liable for any in-
6 jury caused thereby. Whenever the said company shall lay
7 down any pipes in any street, or make alterations or repairs
8 upon its works in any street, it shall cause the same to be done
9 with as little obstruction to public travel as may be practica-
10 ble and shall, at its own expense, without unnecessary delay,
11 cause the earth removed by it to be replaced in proper con-
12 dition.

Sect. 9. Any person who shall wilfully injure any of the
2 property of said corporation, or who shall knowingly cor-
3 rupt the waters of any of the springs, wells, streams or
4 brooks hereinbefore mentioned, and in use by said corpora-
5 tion, in any manner whatever, or render them impure whether
6 the same be frozen or not, or who shall throw the carcasses
7 of dead animals or other offensive matter into said waters,
8 or where the same will render said waters corrupted or im-
9 pure, or who shall wilfully destroy or injure any dam, reser-
10 voir, well, spring, aqueduct, pipe, hydrant or other property
11 held or owned by said corporation for the purposes of this
12 act, shall be punished by a fine not exceeding one thousand
13 dollars, or by imprisonment not less than one year, and shall
14 be liable to said corporation for three times the actual dam-
15 age, to be recovered in any proper action.

Sect. 10. Said corporation may issue its bonds for the con-
2 struction of its works, upon such rates and times as it may
3 deem expedient, not exceeding the amount of its capital stock
4 then outstanding, and secure the same by mortgage of the
5 franchise and property of said company.

Sect. 11. In case the works of this corporation shall not
2 have been put into actual operation within five years from the
3 date of approval of this act, the rights and privileges herein
4 granted shall be null and void.

Sect. 12. The first meeting of said corporation may be
2 called by a written notice thereof, signed by any three corpo-
3 rators herein named, served upon each corporator by giving
4 him the same in hand, or by leaving the same at his last
5 usual place of abode, seven days before the time of meeting.

Sect. 13. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
Augusta, February 15, 1899.

Reported by Mr. REED of Roxbury, from Committee on Interior
Waters, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*