

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventieth Legislature.

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SENATE.

No. 81

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## STATE OF MAINE.

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

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AN ACT to incorporate the Bridgton Water Company.

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

Section 1. Winburn M. Staples, Albion H. Burnham,  
2 Fred C. Knight, C. E. Gleason and W. L. Haskell of  
3 Bridgton, E. E. Goodwin, Willis E. Sanborn and Charles  
4 A. Bodwell of Sanford, with their associates and succes-  
5 sors, be and are hereby made a corporation under the  
6 name of the Bridgton Water Company, for the purpose of  
7 supplying the inhabitants of the town of Bridgton with  
8 pure water for domestic, sanitary and municipal purposes,  
9 including the extinguishment of fires; and such corpora-

tion shall possess all the powers and privileges and be  
subject to all the liabilities and obligations imposed upon  
corporations by law, except as herein otherwise provided.

Sect. 2. The place of business of said corporation  
shall be at Bridgton, in the county of Cumberland and  
state of Maine, and its business shall be confined to the  
town of Bridgton, in said county.

Sect. 3. For any of the purposes aforesaid the said  
corporation is hereby authorized to take and use water  
from Highland lake or Woods pond, or from any spring,  
pond, brook, or other waters in the town of Bridgton, to  
conduct and distribute the same into and through the said  
town of Bridgton; and to survey for, locate, construct,  
and maintain all suitable and convenient dams, reservoirs,  
sluices, hydrants, buildings, machinery, lines of pipe,  
aqueducts, structures and appurtenances.

If water is taken as aforesaid from said Highland lake  
the quantity taken therefrom shall be only so much as can  
be taken by one outlet, conduit or pipe not exceeding  
eight inches in diameter.

Sect. 4. The said corporation is hereby authorized to  
lay, construct and maintain its lines of pipe in the town of  
Bridgton, and to build and maintain all necessary struc-  
tures therefor, at such places as shall be necessary for the  
said purposes of said corporation; and to cross any water  
course, private or public sewer, or to change the direction  
thereof, when necessary for their said purposes of incor-  
poration, but in such manner as not to obstruct or impair  
the use thereof, and the said corporation shall be liable  
for any injury caused thereby.

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

Sect. 6. The said corporation is hereby authorized to  
2 take and hold, by purchase or otherwise any land necessary  
3 for flowage, and also for its dams, reservoirs, gates, hyd-  
4 rants, buildings, and other necessary structures, and may  
5 locate, erect, lay and maintain aqueducts, hydrants, lines  
6 of pipes, and other necessary structures or fixtures, in,  
7 over and through any land for the said purposes, and  
8 excavate in and through such land for such location, con-  
9 struction and erection. And in general to do any act  
10 necessary, convenient or proper for carrying out any of  
11 the said purposes of incorporation. It may enter upon

12 such land to make surveys and locations, and shall file in  
13 the registry of deeds in the county of Cumberland, plans  
14 of such locations and lands, showing the property taken,  
15 and within thirty days thereafter publish notices of such  
16 filing in some newspaper in said county, such publication  
17 to be continued three weeks successively. Not more than  
18 two rods in width of land shall be occupied by more than  
19 one line of pipe or aqueduct.

Sect. 7. Should the said corporation and the owner  
2 of such land be unable to agree upon the damages  
3 to be paid for such location, taking, holding, flow-  
4 ing and construction, the land owner or said corpora-  
5 tion may, within twelve months after said filing of plans  
6 of location, apply to the commissioner of said county of  
7 Cumberland, and cause such damages to be assessed in  
8 the same manner and under the same conditions as are  
9 prescribed by law in the case of damages by the laying  
10 out of highways, so far as such law is consistent with the  
11 provisions of this act. If said corporation shall fail to  
12 pay such land owner, or deposit for his use with the clerk  
13 of the county commissioners aforesaid, such sum as may  
14 be finally awarded as damages, with costs when recovered  
15 by him, within ninety days after notice of final judg-  
16 ment shall have been received by the clerk of courts of  
17 said county, the said location shall be thereby invalid,  
18 and the said corporation shall forfeit all rights  
19 under the same, as against such land owner. The  
20 corporation may make a tender to any land owner, dam-  
21 ages under the provisions of this act, and if such land  
22 owner recovers more damages than was tendered him by  
23 the said corporation, he shall recover costs otherwise the

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

Sect. 8. Any person suffering damage by the taking of  
2 water by said company as provided by this act, may have  
3 his damages assessed in the manner provided in the pre-  
4 ceding section, and payment therefor shall be made in the  
5 same manner and with the same effect. No action shall  
6 be brought for the same until after the expiration of the  
7 time of payment, and a tender by said company may be  
8 made with the same effect as in the preceding section.

Sect. 9. The said corporation is hereby authorized to  
2 make contracts with the town of Bridgton and with any  
3 village corporation in the said town, and with the inhabi-  
4 tants thereof, of any corporation doing business therein,  
5 for the supply of water for any and all the purposes con-  
6 templated in this act; and the said town and any village  
7 corporations in the said town by their proper officers, are  
8 hereby authorized to enter into any contract with the said  
9 corporation for a supply of water for any and all purposes  
10 mentioned in this act, and in consideration thereof to re-  
11 lieve said corporation from such public burdens by abate-  
12 ment or otherwise as said town, village corporation, and

13 the said corporation may agree upon, which when made  
14 shall be legal and binding upon all parties thereto.

Sect. 10. Whoever shall knowingly or maliciously cor-  
2 rupt the water supply of the said corporation, whether  
3 frozen or not, or in any way render such water impure, or  
4 whoever shall wilfully or maliciously injure any of the  
5 works of the said corporation, shall be punished by a fine  
6 not exceeding one thousand dollars, or by imprisonment  
7 not exceeding two years, and shall be liable to the said  
8 corporation for three times the actual damage, to be re-  
9 covered in any proper action.

Sect. 11. The capital stock of the said corporation shall  
2 be fifty thousand dollars and the said stock shall be divided  
3 into shares of one hundred dollars each.

Sect. 12. The said corporation, for all its said purposes,  
2 may hold real and personal estate necessary and con-  
3 venient therefor, not exceeding one hundred thousand  
4 dollars.

Sect. 13. The said corporation may issue its bonds for  
2 the construction of its works, of any and all kinds, upon  
3 such rates and time as it may deem expedient, to an  
4 amount not exceeding its capital stock, and secure the  
5 same by mortgage of its franchise and property.

Sect. 14. The first meeting of the corporation shall be  
2 called by a written notice therefor, signed by Winburn M.  
3 Staples, Charles A. Bodwell, or any incorporator named  
4 herein, served upon each corporator by giving the same in  
5 hand, or by leaving the same at his last and usual place of  
6 abode, at least seven days before the time of meeting.

Sec. 15. This act shall take effect when approved.





STATE OF MAINE.

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IN SENATE, February 22, 1901.

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

KENDALL M. DUNBAR, *Secretary*.