

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 126

STATE OF MAINE.

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

AN ACT to incorporate the Liberty Water Company.

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

Section 1. Lucius C. Morse, J. J. Walker, W. J. Knowlton,
2 Arthur Ritchie and A. C. Crockett, and such persons as they
3 may associate with themselves in the enterprise, and their
4 successors, are hereby incorporated into a corporation by the
5 name of the Liberty Water Company, for the purpose of
6 supplying the town of Liberty, in the county of Waldo, and
7 the inhabitants of said town, with pure water for industrial,
8 manufacturing, domestic, sanitary and municipal purposes,
9 including extinguishment of fires.

Sect. 2. Said company, for said purposes, may detain, col-
2 lect, take, store, use and distribute water from Saint St.

3 George's lake or stream, or any other water source or sources,
4 in said town of Liberty.

Sect. 3. Said company is hereby authorized to lay, con-
2 struct, and maintain in, under, through, along and across the
3 highways, ways, streets and bridges in said town, and to take up,
4 replace and repair all such sluices, aqueducts, pipes, hydrants,
5 and structures as may be necessary for the purposes of their
6 incorporation, under such reasonable restrictions and condi-
7 tions as the selectmen may impose. And said company shall
8 be responsible for all damage to all corporations, persons and
9 property occasioned by the use of such highways, ways and
10 streets, and shall pay to said town all sums recovered against
11 said town for damages from obstruction caused by said corpo-
12 ration, and for all expenses, including reasonable counsel fees
13 incurred in defending such suits, with interest on the same.

Sect. 4. Said company shall have power to cross any water
2 course, public or private sewer, or to change the direction
3 thereof when necessary for the purpose of their corporation,
4 but in such manner as not to obstruct or impair the use
5 thereof, and said company shall be liable for any injury
6 caused thereby. Whenever said company shall lay down any
7 fixture in any highway, way or street, or make any alterations
8 or repairs upon its works in any highway, way or street, it
9 shall cause the same to be done with as little obstruction to
10 public travel as may be practicable, and shall, at its own
11 expense, without unnecessary delay, cause the earth and
12 pavements thus removed by it, to be replaced in proper con-
13 dition.

Sect. 5. Said company is hereby authorized to lay, con-
2 struct and maintain its pipes under the highways, ways and
3 streets in said Liberty and to build and maintain all necessary
4 structures thereof, to build dams and reservoirs for storage
5 of water across any brook or stream in said Liberty.

Sect. 6. Said company may take and hold any lands neces-

2 sary for reservoirs, hydrants and other necessary structures,
3 and may locate, lay and maintain pipes, hydrants and other
4 necessary structures or fixtures in, over and through any land
5 for its purposes, and excavate in and through such lands for
6 such locations, construction and maintenance. It may enter
7 upon such lands to make surveys and locations and shall file
8 in the registry of deeds in said county of Waldo, plans for
9 such locations and lands showing the property taken.

Sect. 7. Should the said company and the owner of such
2 land, be unable to agree upon the damages to be paid for such
3 location, taking, holding and construction, the land owner
4 may within twelve months after said filing of plans of loca-
5 tion, apply to the county commissioners of said county of
6 Waldo and cause such damages to be assessed in the same
7 manner and under the same conditions, restrictions and limi-
8 tations, as are by law prescribed in the case of damages by the
9 laying out of highways, so far as such law is consistent with
10 the provisions of this act.

Sect. 8. Said corporation is hereby authorized to make con-
2 tracts with the United States, and with corporations and
3 inhabitants of said town of Liberty, or any village corpora-
4 tion or association in said town, for the purpose of supplying
5 water as contemplated by this act, and said town of Liberty,
6 or part thereof, is hereby authorized by its selectmen to enter
7 into contract with said company for a supply of water for any
8 and all purposes mentioned in this act, and for such exemp-
9 tion from public burden as said town and said company may
10 agree, which, when made, shall be legal and binding upon all
11 parties thereto. Any village corporation in said town
12 through its assessors, is also authorized to contract with said
13 company for water for all public purposes.

Sect. 9. Whoever shall wilfully or maliciously corrupt the
2 water of said company, whether frozen or not, or in any way
3 render such water impure, or whoever shall wilfully or

4 maliciously injure any of the works of said company, shall
5 be punished by fine not exceeding one thousand dollars, or by
6 imprisonment not exceeding two years, and shall be liable to
7 said company for three times the actual damage, to be recov-
8 ered in any proper action.

Sect. 10. The capital stock of said company shall be ten
2 thousand dollars, which may be increased to fifty thousand
3 dollars by a vote of said company, and said stock shall be
4 divided into shares of twenty-five dollars each.

Sect. 11. Said company for all of its said purposes, may
2 hold real and personal estate necessary and convenient there-
3 for, not exceeding in amount one hundred thousand dollars.

Sect. 12. Said company may issue its bonds for the con-
2 struction of its works of any and all kinds, upon such rates
3 and time as it may deem expedient, not exceeding the sum of
4 fifty thousand dollars, and secure the same by mortgage of
5 the franchise and property of said company.

Sect. 13. The first meeting of said company may be called
2 by a written notice thereof, signed by any three corporators
3 herein named, served upon each corporator by giving him the
4 same in hand or by leaving the same at his last usual place
5 of abode, seven days before the time of meeting.

Sect. 14. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 27, 1903.

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

KENDALL M. DUNBAR, *Secretary.*