

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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PRIVATE AND SPECIAL LAWS  
OF THE  
STATE OF MAINE.

1887.

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## Chapter 3.

An Act to supply the people of the town of Presque Isle with Pure Water.

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

- Corporators.      **SECT. 1.** George H. Freeman, Charles P. Allen, Arthur W. Forbes, Frank C. Cordley and Benjamin C. Mudge, their associates, successors and assigns, are hereby incorporated a
- Corporate name.      body politic by the name of the Presque Isle Water Company, for the purpose of supplying the town of Presque Isle, or any part thereof, with pure water for domestic, manufacturing, private and public uses.
- Corporation may hold real and personal estate.      **SECT. 2.** Said corporation may for said purposes hold real and personal estate not exceeding in amount thirty thousand dollars.
- Authorized to take water.      **SECT. 3.** Said corporation is hereby authorized, for the purposes aforesaid, to take, hold and convey to the town of Presque Isle, and through any part thereof, the water of any river, spring, natural or artificial pond, brook, or other water
- may take and hold real estate.      sources in said town in the county Aroostook ; and said corporation may take and hold by purchase or otherwise, any real estate necessary for the preservation and purity of the same, and for laying and maintaining aqueducts and pipes for distributing
- lay pipes.      the water so taken and held ; and may lay its water pipes through any private lands with the right to enter upon the same and dig therein for the purpose of making all necessary repairs or service connexions ; and for the purposes aforesaid may lay its pipes under or over any water course, street, railroad, highway or other way in such a manner as not unnecessarily to obstruct the same ; and may lay down in, and through the streets and ways in said town of Presque Isle, and to take up, replace and repair all such pipes, aqueducts or fixtures as may be necessary for the purpose of their incorporation, under such reasonable restrictions as the selectmen of said town may impose ; and said corporation shall be responsible for all damages to persons or property occasioned by the use of such streets and ways, and shall pay to said town all sums recovered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.
- liability for all damages.      **SECT. 4.** Said corporation shall pay all damages that shall be sustained by any persons by taking of any land or other
- Damages, how assessed.

property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and damages for any other injuries resulting from said acts; and if any person sustains damages as aforesaid, and the amount thereof cannot be mutually agreed upon, such person may cause his damage to be assessed in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

SECT. 5. Said corporation may make contracts with the United States, the state of Maine, the county of Aroostook, the town through which the pipes of the company may be located, or with the corporations and individuals of said towns for supplying water, as contemplated in this act, and said corporation may establish and fix from time to time rates for the use of said water and collect the same; and the town of Presque Isle, by majority vote of its selectmen or village corporation present, is hereby authorized to contract for a supply of water for the extinguishment of fire or other purposes, for a term of years with said corporation, provided the contract be assented to by said town or village corporation by a majority vote of the voters present and voting thereon at a legal meeting called for that purpose.

Authorized to make contracts for supplying water.

Town of Presque Isle authorized to contract for water and exempt from taxation.

SECT. 6. The capital stock of this corporation shall be thirty thousand dollars, and shall be divided into shares of one hundred dollars each. Said capital may be increased to fifty thousand dollars by a vote of this corporation.

Capital stock.

SECT. 7. Said corporation may issue bonds for the construction of its works upon such rates and time as it may deem expedient, not exceeding thirty thousand dollars, and secure the same by mortgage on the franchise and property of said corporation.

Authorized to issue bonds and mortgage property.

SECT. 8. Any person who shall wilfully injure any of the property of said corporation, or knowingly corrupt the source of its water supply, or of any of its tributaries, or in any manner defile them, or divert any of the water, whether the same be frozen or not, shall forfeit and pay to said company three times the amount of actual damages sustained, to be recovered in an action of tort; and on conviction of either of the wilful acts aforesaid shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

Penalty for injuring property, or polluting water.

**CHAP. 4**

Town to succeed corporation, if works are not put in operation within three years.

First meeting, how called.

SECT. 9. If said corporation shall not be organized and its works put in actual operation within three years from the approval of this act, the town of Presque Isle shall succeed to all the rights and privileges herein granted.

SECT. 10. The first meeting of said corporation may be called by a notice signed by any two of the incorporators, published five days successively, before the day fixed for such meeting, in any newspaper published in Presque Isle.

SECT. 11. This act shall take effect when approved.

Approved January 25, 1887.

### Chapter 4.

An Act to cede to the United States of America, jurisdiction over certain land in Eastport, Maine.

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

Jurisdiction of land in Eastport, ceded to United States.

Concurrent jurisdiction retained by the State.

SECT. 1. That there be and hereby is ceded to the United States of America, the jurisdiction of such lot or parcel of land as may be selected in the town of Eastport, as a site for a public building in said place. Provided, always, that this cession of jurisdiction is granted and made upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States, in and over the said tract of land, and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of said state or any officers thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said tract of land, in like manner and to like effect as if said jurisdiction had not been ceded, saving honor to the United States, security to their property within the limits and extent of such lot as may be selected, an exemption of the same and said tract of land from any taxation under authority of said state or town while the same shall continue to be owned, held, used and occupied by the United States as a site for a public building and not otherwise.

Compensation, how determined.

SECT. 2. If compensation for such land is not agreed upon, the estate may be taken for the intended purpose by payment of fair compensation, to be ascertained and determined in the same manner as, and by proceedings similar to those provided