

# 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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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

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## Chapter 15.

An Act relative to the Richmond Water Company.

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

Organization and doings of Richmond Water Co., made valid.

SECT. 1. The organization of the Richmond Water Company, under the general law of the state, as recorded in the records of corporations in the office of the secretary of state, volume nine, page four hundred and three, is hereby confirmed and made valid ; and said company is hereby declared to be a corporation for the purposes therein specified ; and all the acts and doings of said company, since the filing of the certificate thereof in the secretary of state's office, are made valid as the acts of such corporation, the same as if incorporated by a special act, with all the rights and powers and subject to all the duties, obligations and liabilities of similar corporations.

Authorized to take and hold real estate.

SECT. 2. Said corporation may take and hold, by purchase or otherwise, real and personal estate necessary and convenient for the purpose aforesaid, not exceeding one hundred thousand dollars.

—to take water from Kennebec river.

SECT. 3. For the purposes aforesaid or for the preservation and purity of said water, said corporation is hereby authorized to take and use water from the Kennebec river, to conduct and distribute the same into and through the town of Richmond and vicinity ; to survey for, locate, lay, erect, and maintain suitable dams, reservoirs, and machinery, pipes, aqueducts and fixtures ; to carry its pipes or aqueducts under or over any water course, bridge, street, railroad, highway or other way ; to enter upon and excavate any highway, or other way, in such manner as least to obstruct the same ; to enter, pass over and excavate any lands ; and to take and hold by purchase or otherwise any real estate, rights of way or of water, and in general do any acts necessary, convenient or proper for carrying out any of the purposes of its incorporation. And said corporation is further authorized, for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein.

—to maintain dams, etc.

—to take lands, etc.

—to lay pipes, etc., through public and private ways.

Shall file plans of location with register of deeds.

SECT. 4. Said corporation shall file in registry of deeds in the county of Sagadahoc, plans of the location of all lands and water rights taken under the provisions of this act, and no

entry shall be made on any lands, except to make surveys, until the expiration of ten days from such filing; and with such plan, the corporation may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount awarded finally, does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company.

Liability for damages.

SECT. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land, water, right of way or other property, or by excavating through any land for the purpose of surveying, locating, laying or building dams, reservoirs, pipes, aqueducts and other necessary fixtures, and for any other injuries resulting from said acts; and if any person sustaining damages as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party, upon petition to the county commissioners of Sagadahoc county, within twelve months after said plans are filed, may have said damages assessed by them, and subsequent proceedings and right of appeal thereon, shall be had 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. Failure to apply for damages within said twelve months shall be held to be a waiver of the same.

—how ascertained in case of disagreement.

SECT. 6. Said corporation is hereby authorized to lay down and maintain in and through the streets and ways of said town of Richmond, all such pipes, aqueducts and fixtures as may be necessary for the purposes hereinbefore mentioned. Said company shall have power to cross any water-course, private or public sewer, or to change the direction thereof where necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof.

Authorized to lay pipes, etc., in streets.

—to cross private and public sewers.

SECT. 7. Said company shall in all cases be liable to pay to said town all sums recovered against said town for damages which may be recovered against it by reason of any defect in any highway, way, or street therein occasioned by any fault or neglect of said company, together with reasonable counsel fees and costs made in defending any suit for damages as aforesaid, with interest on the same, provided, said company shall have notice of any suit wherein such damages shall be claimed, and shall be allowed to defend the same at its own expense.

Liable for all damage to streets.

## CHAP. 16

May fix rates and make contracts to supply water.

Contracts of town of Richmond made valid.

Penalty for injuring property or polluting water.

Capital stock.

Issuing of bonds made valid.

SECT. 8. Said company may establish and fix from time to time, rates for the use of water and collect the same. Said town of Richmond is hereby authorized to enter into contract with said company for a supply of water for all municipal purposes, and for such exemption from public burden as said town and said company may agree, which, when made, shall be legal and binding upon all parties thereto; and all the votes, acts and doings of said town heretofore performed relative thereto, and all contracts, and agreements made by said town by vote, in relation thereto, with said Richmond Water Company, are hereby ratified, confirmed and made valid.

SECT. 9. Whoever wilfully injures any of the property of said company, or knowingly corrupts the sources of its water supply, so as to affect the purity of the water taken by said company, or in any manner defiles them as aforesaid, or throws the carcasses of dead animals or other offensive matter into said waters, shall forfeit and pay to the company three times the amount of actual damage sustained, to be recovered in an action of tort; and on indictment and conviction for either of the wilful acts aforesaid shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year.

SECT. 10. The capital stock of said company shall not exceed one hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

SECT. 11. The acts of said corporation in issuing bonds and securing the same by first mortgage upon its property and franchise, are hereby made valid.

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

Approved January 27, 1887.

## Chapter 16.

An Act to incorporate the Maine Mutual Accident Association.

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

Corporators.

SECT. 1. That, George D. Bisbee, George C. Wing, Albert R. Savage, John J. Gerrish, Augustus F. Moulton, Albion R. Millett, Milton F. Ricker, Albert M. Austin, Charles H. Boothby, Charles Hamlin, their associates, successors and assigns, be and are hereby constituted a body