

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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1887.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

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other terminal facilities in the town of Hancock ; and upon the delivery of such conveyance, said Maine Central Railroad Company is vested with the power to own, maintain and operate said railroad, as fully and completely as if the same were embraced in and covered by the charter of said Maine Central Railroad Company, and under the general laws of the state ; reserving, however, to said Maine Shore Line Railroad Company the right to connect its railroad, extending easterly from said town of Hancock, with said railroad so conveyed, at any point in said town of Hancock.

Certain rights reserved.

Time for location extended.

SECT. 2. The time for the location and construction of said Maine Shore Line Railroad, extending easterly from said town of Hancock, is hereby extended four years from the date of the approval of this act.

SECT. 3. This act shall take effect when approved.

Approved January 23, 1887.

Chapter 22.

An Act to supply the town of Eastport with pure water.

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

Corporators.

SECT. 1. Samnel D. Leavitt, Charles W. Talcott, Noel B. Nutt, Jr., Edward E. Snead, Joseph Anderson, Frank S. Paine and William P. Paine, with their associates and successors, are hereby made a corporation by the name of Eastport Water Company, for the purpose of conveying to and supplying the town of Eastport with pure water.

Corporate name.

Purpose.

Authorized to hold real and personal estate.

SECT. 2. Said corporation, for said purpose, may hold real and personal estate necessary and convenient therefor, not exceeding one hundred thousand dollars.

To maintain reservoirs, etc.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid to erect and maintain reservoirs and stand-pipes and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing of water, and forming proper reservoirs therefor, and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands when necessary for the purposes of this incorporation.

—may take lands, etc.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs; and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

Liability for damages.

—how ascertained in case of disagreement.

SECT. 5. The capital stock of said corporation shall be one hundred thousand dollars, said stock to be divided into shares of one hundred dollars each.

Capital stock.

SECT. 6. Said corporation is hereby authorized to lay down in and through the streets and ways in said town of Eastport, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as may be imposed by the selectmen of said town, and said corporation shall be responsible for all damages to persons and property, occasioned by the use of such streets and ways, and shall further be liable to pay to said town all sums recovered against said town for damages from obstructions caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on same.

Authorized to lay pipes in streets.

SECT. 7. Said corporation is hereby authorized to make contract, with said town of Eastport, and with other corporations and individuals, for the purpose of supplying water as contemplated by said act; and said town of Eastport, by its selectmen, is hereby authorized to enter into contracts with said company for the supply of water, and such exemption from public burden as said town and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

May make contracts for supplying water.

Town may contract for water, and exempt from taxation.

SECT. 8. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, when necessary for the purposes of this incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby.

—may cross private or public sewers.

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—shall not obstruct travel.

Whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth and pavements removed to be replaced in proper condition.

Penalty for injuring property or corrupting waters.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall corrupt any of the corporation water in pipe, well, reservoir or stand pipe, or render it impure, whether frozen or not, or who shall wilfully destroy or injure any well, reservoir, pipe or stand pipe, hydrant or any other property, held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding a thousand dollars or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

May issue bonds and mortgage property.

SECT. 10. Said corporation may issue its bonds for the construction of its works, upon such rates and terms as it may deem expedient, not exceeding eighty thousand dollars, and secure the same by mortgage of the franchise and property of said company.

First meeting, how called.

SECT. 11. The first meeting of said corporation may be called by public notice, published in Eastport Sentinel three weeks, said call to be signed by at least three of the corporators.

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

Approved January 23, 1887.

Chapter 23.

An Act additional to and amendatory of chapter one hundred and fifty nine special laws of eighteen hundred and sixty-six entitled "An act to supply the people of Portland with pure water."

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

Portland Water Co. authorized to refund its debt.

SECT. 1. The Portland Water Company is hereby authorized and empowered to take up, cancel and retire the bonds already issued, and the mortgage securing the same, and in lieu thereof to issue bonds for the payment of, or the refunding of its indebtedness and for the further construction of its works, for such amount and upon such rate and time as it