

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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market value of the securities offered, is not less than the par value of those proposed to be withdrawn.'

SECT. 2. This act shall take effect when approved.

Approved March 3, 1887.

Chapter 185.

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

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

Corporators.

SECT. 1. Albert White, A. F. Lewis, E. N. Mayo and George W. Lunt, with their associates, successors and assigns, are hereby incorporated a body politic by the name of the Orono Water Company, for the purpose of supplying the town of Orono, or any part thereof, with pure water for domestic, manufacturing, private and public uses.

Corporate name

May hold real 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 make the necessary surveys, to take, hold and convey to the town of Orono, and through any part thereof, the water of any river, spring, natural or artificial pond, brook or other water sources in said town in the county of Penobscot; 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 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 connections; 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 Orono, 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

—real estate.

—lay pipes, through private lands, etc.

—may lay pipes, etc., in the streets of Orono.

—responsible for damages to streets.

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.

SECT. 4. Said corporation shall pay all damages that shall be sustained by any persons, by taking of any land or other 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.

Liability for damages.

—how assessed.

SECT. 5. Said corporation may make contracts with the State College of Agriculture, the state of Maine, the county of Penobscot, the towns 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 Orono, by majority vote of its selectmen, 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, by a majority vote of the voters present and voting thereon at a legal meeting called for that purpose.

May make contracts to supply water.

Town may contract for supply of water.

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 its capital stock, and secure the same by mortgage on the franchise and property of said corporation.

May 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

Penalty for injuring works or corrupting water.

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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.

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

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 Orono shall succeed to all the rights and privileges herein granted.

First meeting, how called.

SECT. 10. The first meeting of said corporation may be called by a notice signed by any two of the corporators, posted for five days successively, before the day fixed for such meeting, in the post office in the town of Orono.

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

Approved March 3, 1887.

Chapter 186.

An Act to incorporate the Waldoboro Water Company.

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

Corporators.

SECT. 1. Samuel W. Jackson, Moses W. Levensaler, Charles E. Hovey, J. Edwin Eaton, J. Tyler Gay, Lowell P. Haskell, Edwin O. Clark, Francis M. Eveleth, with their successors and associates, are hereby made a corporation by the

Corporate name.

Purpose.

name of the Waldoboro Water Company, for the purpose of furnishing to the people of Waldoboro, a supply of pure water, for domestic, mechanical and manufacturing purposes, and to the town of Waldoboro, water for the extinguishment of fires and other public uses, with all the rights, privileges, immunities, duties and obligations incident to similar corporations.

Capital stock.

—may hold real estate.

SECT. 2. The capital stock of said company shall not exceed one hundred thousand dollars. It may acquire and hold real and personal estate, necessary and convenient for the purposes aforesaid, and it may issue bonds and other obligations secured by a mortgage of its franchise and other property, to carry out the purposes for which it is created.