

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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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.

SECT. 3. Said corporation may take and hold by purchase, or may take, as for public uses, any real estate or easement therein, including the water of any ponds, streams, springs or artesian wells, necessary for obtaining a sufficient supply of water for the construction of reservoirs and laying of pipes, and may erect and maintain all necessary dams, reservoirs, stand pipes and hydrants. It may lay its pipes through the lands of persons or corporations, and having first obtained the permission of the municipal officers of said town, and under such restrictions and regulations as they may prescribe, along the streets and ways of said town, and may lay its pipes under any railroad, water course, or private way, and cross any drain or sewer, or pipe for the distribution of gas, and it may enter upon and dig up any such real estate, railroad, street or way for the purpose of laying pipes, or erecting hydrants, or other fixtures, and for maintaining and repairing the same. And it may do any other act or thing, necessary, convenient and proper, to carry out the purpose of providing a supply of water and distributing the same, to the inhabitants of said town, for the uses aforesaid.

May take real estate, water, etc.

—lay pipes through private lands, etc.

SECT. 4. Said corporation shall file in the registry of deeds, a certificate containing a description of the land purchased or taken, or in which an easement is taken, under the provisions of this act, and a statement of the purposes for which it is taken, to be recorded by the register, and such land or easement shall be deemed to be taken, upon the filing of such certificate. But this section shall not apply to the service pipes leading from the main pipe, for the purpose of distributing water.

Shall file in registry of deeds, description of land taken.

—proviso.

SECT. 5. Said corporation shall pay all damages sustained by any person or corporation, in property, by the taking of any land, right of way, water, water source, water right or easement, or by the erection of any dam, or by any other thing done by said corporation under the authority of this act. Any person or corporation sustaining damages as aforesaid, may have the same determined in the manner provided by law, for the assessment of damages for lands taken for railroads, upon application at any time within the period of three years from the taking of such land or other property, or the doing of other injuries under the authority of this act, but if no application is made within three years as aforesaid,

Liable for all damages.

—how determined.

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the party claiming to have suffered damages shall be deemed to have waived his claim therefor.

May regulate use of water and fix rates.

SECT. 6. Said corporation may distribute, through said town of Waldoboro, water, may regulate the use of said water, and fix and collect water rates to be paid for the same, but such rates shall not exceed those in other towns and cities in Maine, of the general size and circumstances of Waldoboro, whose situation is similar thereto, and after it shall commence receiving pay for water supplied by it, said corporation shall be bound to furnish, at reasonable rates as aforesaid, water to the inhabitants of said town for said uses, within a reasonable distance from the main pipe and to said town in its corporate capacity for public use, and said town is hereby authorized to contract with said corporation for water for public uses, on such terms as the parties may agree, including the remission of taxes upon the real estate, fixtures and plant of said corporation, and may raise money therefor in the same manner as for other town charges.

—town authorized to contract for water and remit taxes.

Penalty for corrupting water or injuring property.

SECT. 7. Any person who shall wilfully corrupt the waters of any of the sources of supply or reservoirs of said corporation, or render them impure, or who shall throw or leave any offensive matter or materials upon them when frozen over, or who shall wilfully injure any dam, reservoir, conduit, pipe, hydrant, engine, water wheel or other property held, owned or used by said corporation for the purposes of this act, shall pay three times the amount of damages to said corporation, to be recovered in any proper action, and every such person, on conviction of either of said acts aforesaid, shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year.

Authorized to lay pipes over tide waters.

SECT. 8. If said corporation shall find it necessary to lay its pipes over tide waters, it may build and maintain all necessary piers and other structures, causing as little obstruction to navigation as possible.

SECT. 9. This act shall take effect when approved.

Approved March 3, 1887.