

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

Chapter 239.

An Act to incorporate the Damariscotta and Newcastle Water Company.

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

Corporators.

SECT. 1. James A. Hall, Jonathan H. Chase, David W. Chapman, George H. Weeks, Daniel M. Jacobs, Kendall M. Dunbar, Addison Austin, Isaac Genthner, Samuel D. Wyman, with their successors and associates, are hereby made a corporation by the name of the Damariscotta and Newcastle Water Company, for the purpose of furnishing to the people of Damariscotta and Newcastle a supply of pure water, for domestic, mechanical and manufacturing purposes, and to the towns of Damariscotta and Newcastle, water for the extinguishment of fires and other public uses, with all the rights, privileges, immunities, duties and obligations incident to similar corporations.

Corporate name.

Purposes.

Capital stock.

—may hold real estate.

May take real estate and water.

—may lay pipes along streets, etc.

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 Damariscotta lake, 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 towns, and under such restrictions and regulations as they may prescribe, along the streets and ways of said towns, 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 towns, for the uses aforesaid.

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 apply to the service pipes leading from the main pipe, for the purpose of distributing water.

Shall file plan of location in registry of deeds.

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

Liability for damages.

—damages, how determined.

SECT. 6. Said corporation may distribute, through said towns of Damariscotta and Newcastle, 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 Damariscotta and Newcastle, 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 towns for said uses, within a reasonable distance from the main pipe and to said towns in their corporate capacity for public use, and said towns are 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.

May fix water rates.

Towns may contract for water supply and exempt from taxation.

CHAP. 240

Penalty for corrupting water or injuring works.

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.

May 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 11, 1887.

Chapter 240.

An Act relating to the Biddeford and Saco Water Company.

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

Doings of Biddeford and Saco Water Co., made valid.

SECT. 1. The acts and doings of the Biddeford and Saco Water Company under their charter as amended, in relation to its organization, and in issuing its bonds, and securing the same by mortgage on its franchise, are hereby ratified, confirmed and made valid.

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

Approved March 11, 1887.