

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.

CHAP. 265

Chapter 265.

An Act to repeal chapter three hundred and ninety-two of the Private and Special Laws of eighteen hundred and seventy-three, entitled "An Act relating to a Free High School in the town of Frenchville."

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

Ch. 392, private laws of 1873, repealed.

SECT. 1. Chapter three hundred and ninety-two of the private and special laws of eighteen hundred and seventy-three, is hereby repealed.

When act shall take effect.

SECT. 2. This act shall take effect on the first day of June, eighteen hundred and eighty-seven.

Approved March 16, 1887.

Chapter 266.

An Act to incorporate the Winthrop Water Company.

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

Corporators.

SECT. 1. Elliott Wood, L. T. Carleton, A. P. Snow, C. D. Wood, G. A. Longfellow, Henry Richardson, with their successors, and associates, are hereby made a corporation by the name of the Winthrop Water Company, for the purpose of furnishing to the people of Winthrop, a supply of pure water for domestic purposes, and to the town of Winthrop, 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.

SECT. 2. The capital stock of said company shall not exceed fifty 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.

May issue bonds and mortgage property.

May take real estate, and water.

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 Winthrop upper pond or lake Maranocook, so called, 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

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.

—lay pipes along streets, under any public way, sewer or gas pipe.

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 purchased or taken.

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, with the exception of taking water from Winthrop upper pond or lake Maranocook, so called, or 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 town of Winthrop, 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

May distribute water and fix rates.

CHAP. 267

Maine, of the general size and circumstances of Winthrop, 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 may contract for water and exempt from taxation.

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.

SECT. 8. This act shall take effect when approved.

Approved March 16, 1887.

Chapter 267.

An Act to amend section six of chapter five hundred and four of the Private and Special Laws of eighteen hundred and eighty-five, as amended by an act of the Legislature, approved February nine, eighteen hundred and eighty-seven.

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

SECT. 1. Section six of said act is hereby amended, so as to read as follows :

'Section 6. This corporation shall keep on deposit with the treasurer of the state of Maine, a reserve fund for the benefit and protection of the certificate holders in said association, for the creation of which, it shall annually, on the

Sec. 6, amended, [charter Maine Benefit Association.]

Reserve fund shall be deposited with Treasurer of State.