

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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

AUGUSTA :
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

CHAP. 486

Exclusive rights, granted.

—other railroads, may connect with.

May issue bonds and mortgage property.

First meeting, how called

When charter shall be null.

SECT. 10. No other corporation or person shall be permitted to construct or maintain any railroad for similar purposes over the same streets or ways that may be lawfully occupied by this corporation, but any person or corporation lawfully operating any horse railroad to any point to which this corporation's tracks extend, may enter upon, connect with and use the same on such terms and in such manner as may be agreed upon between the parties, or if they shall not agree, to be determined by the railroad commissioners for the state of Maine.

SECT. 11. Said corporation is hereby authorized to issue bonds in such amount and on such time as may from time to time, be determined, in aid of the purposes specified in this act, and to secure the same by a mortgage of its franchises and property. It is also hereby authorized to lease all of its property and franchises upon such terms as it may determine.

SECT. 12. The first meeting of said corporation may be called by any two of said incorporators giving actual notice in writing to their several associates, and said corporation may make such by-laws as are proper and not contrary to the laws of the state.

SECT. 13. This charter shall be null and void unless operation for building this railroad shall have been actually commenced within two years from date of the passage of this act.

SECT. 14. This act shall take effect when approved.

Approved March 10, 1893.

Chapter 486.

An Act to incorporate the Union Water Company.

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

Corporators.

—corporate name.

—authorized to supply water.

SECT. 1. Fred A. Alden, B. Burton, O. A. Burkett, L. R. Morse, C. I. Burrows, all of Union, and C. M. Walker of Rockland, in Knox county, their associates, successors and assigns, are hereby incorporated by the name of the Union Water Company, for the purpose of supplying the village of Union, in the county of Knox, and the inhabitants of said Union with pure water for industrial, manufacturing, domes-

tic, sanitary and municipal purposes, including extinguishment of fires.

SECT. 2. Said company, for said purposes, may detain, collect, take, store, use and distribute water from Sennebec pond and the springs on Willard G. Drake's farm, also from the springs on L. R. Morse's farm, or any other water source or sources, within a radius of four miles of Union Common.

May take water.

SECT. 3. Said company is authorized to lay, construct and maintain in, under, through, along and across the highway, ways, streets, railroads and bridges in said village, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen may impose. And said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highway, ways and streets, and shall further be liable to pay to said town, all sums recovered against said town, for damages from obstructions caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

May lay pipes along and over highways.

—responsible for all damages.

SECT. 4. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purpose of their incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or streets, 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 thus removed by it, to be placed in proper condition.

May cross any private or public sewer.

—shall not obstruct public travel.

SECT. 5. Said company is hereby authorized to lay, construct and maintain its pipes under the highway, ways and streets and to build and maintain all necessary structures therefor.

Authorized to lay pipes under highways, etc.

SECT. 6. Said company may take and hold any lands necessary for reservoirs, hydrants and other necessary structures, and may locate, lay and maintain pipes, hydrants, and other necessary structures or fixtures in, over and through any

May take land.

CHAP. 486

—shall file plans of location in registry of deeds, Knox county.

land for its purposes, and excavate in and through such lands for such locations, constructions and maintenance. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Knox, plans of such locations and lands, showing the property taken; and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any one line of pipe or aqueduct, and not one acre by any one reservoir.

Damages, how ascertained, in case of disagreement.

SECT. 7. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Knox, and cause such damages 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, so far as such law is consistent with the provisions of this act; if said company shall fail to pay such land owner, or deposit for his use with the clerk of courts of the county, the said location shall be thereby invalid, and said company forfeit all rights under the same, as against such land owner. Said company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered him by said company, he shall recover costs, otherwise said company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid.

—location, invalid, if damages are not paid.

—shall file bond, if land is occupied before damages are paid.

Damages for taking water, how assessed.

SECT. 8. Any person or corporation suffering damage by the taking and diverting of water by said company as provided by this act, may have his damages assessed in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expi-

ration of the time of payment. And a tender by said company may be made with the same effect as in the preceding section.

SECT. 9. Said corporation is hereby authorized to make contracts with the United States and with corporations, and inhabitants of said village of Union for the purpose of supplying water as contemplated by this act. And said village of Union is hereby authorized by its selectmen to enter into contract with said company for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burden as said village and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

May contract to supply water.

—village, may contract for water and exempt from taxation.

SECT. 10. The capital stock of said company shall be twenty-five thousand dollars, which may be increased to fifty thousand dollars by a vote of said company, and said stock shall be divided into shares of twenty-five dollars each.

Capital stock.

SECT. 11. Said company for all of its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

May hold real estate to amount of \$100,000.

SECT. 12. Said company may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of one hundred thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds, and mortgage property.

SECT. 13. The first meeting of said company may be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting, how called.

SECT. 14. This act shall become null and void in two years from the time when the same takes effect, unless the corporation] shall [have organized and commenced the construction of its works under this charter.

When act shall become void.

SECT. 15. This act shall take effect when approved.