

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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1895.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 25.

An Act to amend an act entitled "An Act to incorporate the Winterport Water Company."

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

Said act of incorporation is hereby amended, so it shall read as follows :

‘SECT. 1. T. W. Vose, Fred Atwood, A. E. Fernald, S. H. Morgan, C. R. Hill, D. H. Smith, H. M. Heath, and such persons as they may associate with themselves in the enterprise, and their successors, are hereby incorporated into a corporation by the name of the Winterport Water Company, for the purpose of supplying the towns of Winterport and Frankfort, in the county of Waldo, and the inhabitants of said towns, with pure water for industrial, manufacturing, domestic, sanitary and municipal purposes, including extinguishment of fires.

Corporators.

Corporate name.

‘SECT. 2. Said company, for said purposes, may detain, collect, take, store, use and distribute water from Low's brook, or any other water source or sources, in Winterport, Frankfort and Monroe.

May take water from Low's brook, etc.

‘SECT. 3. Said company is hereby authorized to lay, construct, and maintain in, under, through, along and across the highways, ways, streets and bridges in said towns, 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 damage to all corporations, persons and property occasioned by the use of such highways, ways and streets, and shall pay to said towns all sums recovered against said towns 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.

May lay pipes along highway.

—responsible for all damages.

‘SECT. 4. Said company shall have power to cross any water course, public or private sewer, or to change the direction thereof when necessary for the purpose of their corporation, 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

May cross any water course or sewer.

CHAP. 25

—shall not obstruct travel.

any fixture in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, 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 replaced in proper condition.

Authorized to lay pipes under highways.

‘SECT. 5. Said company is hereby authorized to lay, construct and maintain its pipes under the highways, ways and streets in said Winterport and Frankfort and to build and maintain all necessary structures thereof, to build dams and reservoirs for storage of water across any brook or stream in Frankfort and Winterport.

—build dams.

May take land.

‘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 land for its purposes, and excavate in and through such lands for such locations, construction 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 Waldo, plans for such locations and lands showing the property taken.

—shall file in registry of deeds, plan of location.

Damages, how assessed 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 county commissioners of said county of Waldo 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.

May make contracts to furnish water.

‘SECT. 8. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of said towns of Winterport and Frankfort, or any village corporation or association in said towns, for the purpose of supplying water as contemplated by this act, and said towns of Winterport and Frankfort, or part thereof, are hereby authorized by its selectmen to enter into contract with said company for a supply of water for any and for all purposes mentioned in this act, and for such exemption from

Town authorized to make contracts, and exempt from taxation.

public burden as said towns and said company may agree, which, when made, shall be legal and binding upon all parties thereto. Any village corporation in said towns through its assessors, is also authorized to contract with said company for water for all public purposes.

‘SECT. 9. Whoever shall willfully or maliciously corrupt the water of said company, whether frozen or not, or in any way render such water impure, or whoever shall willfully or maliciously injure any of the works of said company, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage, to be recovered in any proper action.

Penalty for corrupting water.

‘SECT. 10. The capital stock of said company shall be ten 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.

‘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 fifty thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds.

‘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 take effect when approved.’