

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

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**Chapter 449.**

An Act to ratify, confirm and define the charter of the York Water Company.

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

Section 1. The organization of the York Water Company, a corporation organized under the general laws of the state of Maine and the certificate of organization of which corporation was filed in the office of the secretary of state on the fifteenth day of December, eighteen hundred and ninety-two, is hereby ratified and confirmed.

Organization confirmed.

Section 2. Said company for the purposes named in its certificate of organization may lay down and take up its pipes along and across any highway or town way in the town of York in such manner as the municipal officers of said town may approve; they may obtain a supply of water for the use of the company by lease or purchase from any person or corporation having authority to sell water within the town of York on such terms and conditions as may be agreed upon by the parties interested in said lease or sale. Said company is further authorized to make contracts with the town of York for a supply of water for fire purposes on such terms as may be agreed upon by said town and said company, and said town is also hereby authorized to make such contract, also to sell its water to individuals and corporations for domestic use and manufacturing purposes.

May lay pipes along highways under restrictions of municipal officers.

—may contract to supply water.

Section 3. This act shall take effect when approved.

Approved March 21, 1901.

**Chapter 450**

An Act to establish East Machias Light and Water Company.

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

Section 1. Warren F. Pope, John A. McDonald, C. Hollis White and A. D. McFaul, with their associates and successors, are hereby made a corporation by name of East Machias Light and Water Company, for the purpose of supplying the inhabitants of the town of East Machias, in the county of Washington, with suitable water for industrial, domestic, sanitary and municipal purposes, including the extinguishment of fire; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state. And also for the purpose of supplying the inhabitants of said

Corporators.

—corporate name.

—purposes.

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East Machias with light for factories, hotels, dwellings and any and all places where illumination may be desired.

May hold property not exceeding \$100,000.

Section 2. The said corporation for all its said purposes, may hold real and personal estate necessary and convenient therefor to any amount not exceeding one hundred thousand dollars.

Authorized to take water.

Section 3. For the purposes aforesaid, or for the storage and preservation of the purity of said water, said corporation is hereby authorized to take and use water from said East Machias river, or from any spring, pond, brook or other water in said town of East Machias, or from any spring, lake, river, brook or pond in either of the adjoining towns of East Machias; to collect, conduct and distribute the same into and through the said town of East Machias; to survey for, lay, erect, and maintain suitable dams, reservoirs, and machinery, pipes, aqueducts and the necessary fixtures; to carry its pipes or aqueducts under, in and over the East Machias river, or under or over any water course, bridges, street railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway or other way in such a manner as to least obstruct the same, enter, pass over and excavate any lands, and to take and hold by purchase or otherwise any real estates, rights of way or of water, and in general to acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized for the purpose of making all needed repairs or service connections, to carry its pipes through any public or private land or ways, with the right to enter upon the same, or dig therein; and said corporation may make written regulations for the use of said water and change the same from time to time.

—erect dams, etc.

—lay pipes in, under and over East Machias river or over highways.

—shall not obstruct any way.

—take land.

—lay pipes through any public or private land.

Shall file in registry of deeds plans of land and water rights taken.

—publish notice of such filing.

—filing deemed to be a taking of such lands and water.

—file statement of damage it is willing to pay.

Section 4. Said corporation shall file in the registry of deeds for the county wherein located, plans and a description of all lands and water rights taken or in which an easement is taken, under the provisions of this act; and a statement of the purposes for which said lands and easements are taken; and within thirty days thereafter publish a notice of such filing in some newspaper in said county, said publication to be continued for three weeks successively; and the filing of such plans and description shall be deemed to be a taking of such lands, water rights and easements; and with such plans and description the said corporation may file a statement of the damage it is willing to pay the owner for any property so taken, and if the amount finally awarded, exceeds that sum, such owner shall recover costs against the corporation, otherwise the corporation shall recover costs against the owner.

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Liabile for all damages.

Section 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, to themselves or their property, occasioned by the use of such streets and ways, and shall pay to said town of East Machias all sums recovered against said town of East Machias for damages from obstruction caused by said corporation and for all expense including reasonable counsel fees incurred in defending such suits, with interest on the same; but said corporation may assure the defense of suits brought to recover damages, aforesaid and also for all damages sustained by any person by the taking of any land for the purpose of laying or building any dams, reservoirs, pipes and aqueducts, and for any other injuries resulting from said acts; and if any person sustaining damages as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party on petition of the county commissioners of Washington county, within twelve months after said plans are filed may have said damages assessed by them, and subsequent proceedings, and right of appeal thereon, shall be had 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. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same.

—damages, how ascertained in case of disagreement.

—appeal may be taken.

—failure to apply for damages held to be a waiver of same.

Section 6. Said corporation is hereby authorized to make agreements with the United States, state of Maine, county of Washington, the town of East Machias, or any village corporation within the limitations of said town, and with the inhabitants thereof, or with any corporation doing business in the said town, for the purpose of supplying water as contemplated by this act; and the said town of East Machias, or village corporation duly organized therein, by their selectmen or other duly authorized officers are hereby authorized to enter into an agreement with the said corporation for a supply of water for any and all purposes specified in this act, upon such terms and conditions, and for such times as the said town or village corporation and the said corporation may agree upon; and the payment of any tax which may be assessed upon the property or franchise of the said corporation by the said town of East Machias, or any village corporation organized therein, may be included as a part of the consideration for the supply of said water, provided the said town of East Machias, or any village corporation therein so vote. And the said town of East Machias, or any village corporation therein, may raise money for this purpose in the same manner as for other town or village corporation charges.

May contract to supply water.

—town may contract for water.

—tax assessed on company may be included as a part of consideration.

—town or village may raise money.

Section 7. Said corporation shall have the power to cross any water course, railways, or private ways, private or public sewers

May cross any way or sewer, but

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shall not obstruct use thereof.

shall not obstruct public travel.

manner of crossing railroad shall be determined by railroad commissioners.

Capital stock.

May issue bonds and mortgage property.

First meeting, how called.

or change the direction of such sewers when necessary for the purpose of its incorporation, but in such a manner as not to obstruct or impair the use thereof; and the said corporation shall be liable for any injury caused thereby. Whenever the said corporation shall lay pipe in any street, highway or other way, it shall cause the same to be done with as little obstruction as possible to public travel as may be practicable, and shall, at his own expense, without unnecessary delay, cause the earth and pavements to be put in proper condition. In case of failure to agree with any railroad company as to the place, manner of conditions of crossing its railroad with such pipes or aqueducts, the place, manner and conditions of such crossings shall be determined by the railroad commissioners, and all work within the limits of the railroad location and lands shall be done under the supervision of the officers and agents of the railroad company, but at the expense of the said corporation.

Section 8. The capital stock of the said corporation shall be twenty thousand dollars, which may be increased to any sum not exceeding fifty thousand dollars by a vote of said corporation; such capital stock shall be divided into shares of one hundred dollars each.

Section 9. Said corporation, to aid in the construction of its work on any and all kinds, is hereby authorized to issue its bonds in such form and amount, and on such time and rates, as it may deem expedient; not exceeding in the aggregate the amount of capital stock authorized and issued; and may secure the sum by mortgage or mortgages on the franchise and property of the said corporation.

Section 10. The first meeting of the said corporation shall be called by a written notice thereof, signed by any two of the corporators named herein, served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the time of meeting.

Approved March 21, 1901.