

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth  
Legislature

1909

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## CHAP. 18

—city marshal or deputy shall be in attendance.

salary of said judge; to purchase blanks, blank books, seals, dockets, and all things necessary for the use of said court; to provide a suitable court room for said court; and to furnish the same in an appropriate manner. The city marshal of said city or one of his deputies shall be in attendance on said court in all criminal cases for the purpose of preserving order, and shall execute all legal orders and processes to him directed by the court, and shall be entitled to fees and travel the same as sheriff and deputies in Kennebec county.'

Approved February 19, 1909.

### Chapter 18.

An Act to incorporate the Saint George Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

Corporators.

—corporate name.

Section 1. William L. Allen, I. E. Archibald, William E. Schwartz, George E. Allen, Reuel Robinson, H. L. Shepherd, Maynard S. Bird and Albert E. Angier, their associates, successors and assigns, are hereby made a corporation by the name of Saint George Water Company, for the purpose of supplying the town of Saint George in the county of Knox, and the inhabitants thereof with pure water for domestic, sanitary, industrial and municipal purposes, including the extinguishment of fires; with all the powers, rights and privileges, and subject to all the duties, liabilities and obligations of similar corporations under the laws of this state.

—purposes. May take and store water, etc.

—may maintain reservoirs, etc.

Section 2. The said corporation is hereby authorized for the purposes, aforesaid to retain, collect, take, store, use and distribute water from Turkey pond, so called, in said town of Saint George, or from any springs or wells, that they may acquire by purchase of the owners thereof, and from other ponds, streams or other water sources in said town of Saint George; and may locate, construct and maintain cribs, reservoirs, dams, standpipes, gates, hydrants, pipes and all other necessary structures or conduits to conduct and distribute, accumulate and discharge water in the usual manner, and to form proper reservoirs thereof; to excavate, lay down, replace, repair and maintain its pipes and aqueducts through any land or real estate necessary for the purpose of this incorporation; to lay its pipes and aqueducts and construct and maintain the same with all necessary fixtures in, upon, along and under the roads and streets of said town with such reasonable restrictions as may be imposed

—may lay pipes along roads and streets.

by the municipal officers thereof in accordance with the general laws of the state.

Section 3. Said corporation shall be held liable to pay all damages that may be sustained by any person by the taking of land or other property, by excavating through any land for the purpose of laying down pipes and aqueducts, building dams or reservoirs, or the erection of any necessary structures, or for flowage; and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party, on petition to the county commissioners of Knox county, may have the damages assessed by them; and subsequent proceedings and rights to appeal thereon, shall be had in the same manner and under the same conditions, restrictions and limitations, as are by law provided in case of land taken for railroads.

Shall be liable for all damages.

—damages, how assessed if parties fail to agree.

Section 4. Said corporation, at its own expense, without unnecessary delay, shall remove any and all obstructions in any street or road made in excavating and laying its pipes and aqueducts and shall cause earth disturbed to be properly replaced. It shall be responsible for all damage to person and property occasioned by the use of such streets and roads, and shall further be liable to pay to said town all sums recovered against said town for damages for obstruction caused by said company, and for all expenses including reasonable counsel fees, incurred in defending such suits with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

Shall remove obstructions in streets.

—responsible for damage to person and property.

Section 5. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof, when necessary for the purposes of its incorporation, but in such manner as not to obstruct the use thereof, and it shall be liable for any injury caused thereby.

May cross but not obstruct water course or sewer.

Section 6. Said corporation shall have authority to enter upon any land for the purpose of making surveys and locations and shall file in the registry of deeds for said county of Knox, plans of the land and other property to be taken and when so filed such lands and other property shall be deemed and treated as taken; with said plans, said corporation may file a statement of the damages it is willing to pay for any property so taken, and if the amount finally awarded does not exceed that sum, the corporation shall recover costs against such parties, otherwise such parties shall recover costs against said corporation.

May enter on lands to make surveys, etc. —shall file plans.

Section 7. Said corporation, for its said purposes may hold real and personal property necessary and convenient therefor.

May hold property.

## CHAP. 18

Section 8. The capital stock of said corporation shall be fifty thousand dollars, which may be divided into such number of shares as it shall by vote determine.

May issue bonds.

Section 9. Said corporation may issue its bonds for the construction of its works, upon such rates and terms as it may deem expedient, not exceeding the amount of its capital stock, and secure the same by mortgage of its franchise and property.

May contract to supply water.

Section 10. Said corporation is hereby authorized to make contracts with said town of Saint George, and with other corporations and individuals, for the purpose of supplying water, men, is hereby authorized to enter into contract with said company for the supply of water, with such exemptions from public burden as said town and said company may agree upon, which, when made shall be legal and binding upon all parties thereto.

Penalty for polluting water or damaging works.

Section 11. Whoever shall knowingly or maliciously corrupt the water supply of said corporation, or any ice formation thereon, or in any way render such water impure, or whoever shall wilfully or maliciously injure any of the works of said corporation, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Town may take over works after five years.

Section 12. Said town of Saint George at any time after the expiration of five years from the opening for use and service of a system of water works constructed by said corporation and after a vote in a legal town meeting to that effect has been passed, shall have the right to take over and purchase, and by this act said corporation is required to sell to said town said system of water works, including everything appertaining thereto, for such price as may be agreed upon by said town and said corporation. And should said parties be unable to agree upon the amount the same shall be left for the determination of three persons to be chosen as follows; one by said town, one by said corporation, and the third, who shall be a person learned in the law and a resident of Knox county, shall be appointed by the chief justice of the supreme judicial court, and the finding of the aforesaid three persons shall be final and conclusive in the matter as between the parties.

-if parties disagree, amount shall be determined by three persons.

First meeting, how called.

Section 13. The first meeting of said corporation may be called by written notice thereof, signed by two of the incorporators herein named, served upon each corporator by giving him the same in hand, by leaving the same at his place of last and usual abode, or by sending the same to him by registered mail, at least seven days before the day of said meeting.