

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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-fifth
Legislature

1911

CHAP. 69

in connection with or in addition to the motive power specified in said chapter fifty-three.

Section 4. Said The Mount Desert Transit Company is hereby authorized and empowered to connect its railroad with the railroad of any other corporation which may now or hereafter own or operate a line of railroad wholly or partly in Hancock county, Maine, and any such other railroad corporation is hereby authorized to connect its railroad with the railroad of The Mount Desert Transit Company upon any terms and conditions mutually agreed upon and not prohibited by the laws of the state of Maine; and The Mount Desert Transit Company is hereby authorized to sell or lease its property and franchises to any such connecting railroad corporation, or to any railroad corporation leasing or operating any connecting railroad; and any such connecting railroad corporation is hereby authorized to acquire by purchase, lease or otherwise the property and franchises of said The Mount Desert Transit Company, and also to acquire, hold and possess the stocks, bonds and securities of said The Mount Desert Transit Company.

May connect with other railroads.

—may sell or lease its property and franchises.

Approved March 4, 1911.

Chapter 69.

An Act to incorporate the Westfield Water Company.

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

Section 1. Enoch B. Briggs, Rue T. Snow, Lincoln R. Sinclair, with such parties as they may vote to associate with them, and their successors, are incorporated in a body politic by the name of the Westfield Water Company, for the purpose of conveying to and supplying the town of Westfield in Aroostook county and village of said Westfield, with pure water for domestic and municipal purposes, the extinguishment of fires, and for manufacturing.

Corporators.

—corporate name and purposes.

Section 2. Said corporation for said purposes may hold all such real estate and personal property as may be necessary or convenient therefor.

May hold necessary property.

Section 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the waters of any ponds or streams in said town of Westfield, and is also authorized to erect and maintain dams, stand pipes and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing

May take and detain water.

—lay pipes and aqueducts.

CHAP. 69

—take and hold lands.

and disposing of water; and said corporation may take and hold by purchase or condemnation any lands or real estate necessary therefor, and may excavate through any lands necessary for such purposes.

Shall be liable for damages occasioned by the taking of lands, or by flowage.

Section 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowing or by excavating through the same, the same to be taken and the damages assessed therefor in the manner provided for taking lands for steam railroads, so far as the same is applicable.

Capital stock.

Section 5. The capital stock of said corporation shall be twenty-five thousand dollars, which may be from time to time increased by vote of said corporation not to exceed one hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

May lay pipes, etc., under restrictions of selectmen.

Section 6. Said corporation is hereby authorized to lay in and through the streets and ways in said town of Westfield, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for carrying out its purposes, the same to be done under such reasonable restrictions as the selectmen of said town may impose.

May enter into contracts for supplying water.

Section 7. Said corporation is hereby authorized to make contracts with corporations and inhabitants of said town and with said town, for the purpose of supplying water as contemplated in this act; and the municipal officers of said town are hereby authorized to enter into contracts for a term of years with said company for the supply of water for municipal and fire purposes and for such exemption from public burden as they and said company may agree, which when made shall be legal and binding upon all parties thereto.

May declare dividends not exceeding six per cent per annum.

Section 8. Said corporation may declare dividends on its capital stock not to exceed six per cent per annum, and if the net receipts of said company after the paying of all fixed charges, expenses and repairs, and depreciation, exceeds said amount, such surplus shall be applied to reduction of water rates, or expenses of its pipes and service.

May cross, but not impair use of sewers.

Section 9. Said corporation shall have the right to cross any public or private sewer, or to change the direction thereof when necessary, but not to impair the use of the same. Whenever the company shall lay down any pipes in any streets, or make any alterations or repairs in any highway, it shall cause the same to be done with as little obstruction to public travel as may be practicable and without unnecessary delay restore said highway to its original condition.

—shall not obstruct public travel.

CHAP. 69

Section 10. Any person who shall wilfully injure any of the property of said corporation, or shall corrupt the waters which are the source of supply furnished by said corporation, or any tributaries thereof, in any manner whatever, or render them impure, whether the same be frozen or not; or shall wilfully destroy or injure any dam, reservoir, pipe, hydrant or other thing used in transmitting and supplying water, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not more than two years, and shall be liable to said corporation for three times the actual damage, to be recovered in an action of debt.

Penalty for
injuring
property or
corrupting
water supply.

Section 11. Said corporation may from time to time issue bonds for the construction of its works, upon such rates and time as it may deem expedient, and secure the same by mortgages on its franchises and property then owned or thereafter by it to be acquired.

May issue
bonds and
mortgage
property.

Section 12. The first meeting of said corporation may be called by a written notice thereof signed by any of the corporators (herein named, served upon each corporator) by giving the same to him in hand, or by mailing to him postage prepaid, seven days at least before the date of said meeting.

First meeting,
how called.

Section 13. At any time after five years from the date of the approval of this act the town of Westfield, or any village corporation within the limits of said town of Westfield, if its inhabitants shall so vote, by a two-thirds vote, at a legal meeting called therefor, shall have the right to purchase the system of water works constructed by said company in said town for supplying said town and the village of said Westfield and the inhabitants thereof, together with the franchises of this company relating thereto, at a price to be agreed upon between said company and said town or village corporation; and if such price cannot be agreed upon, then at a price, which shall be determined by a commission of three competent and disinterested men, one of whom shall be selected by said company, one by said town of Westfield, or by said village corporation, and the third by the two so selected if they can agree, if not, then by the chief justice of the supreme judicial court of Maine. The award of said commissioners, not less than cost, shall be binding upon said company and said town, or village corporation; and said town or village corporation shall pay the amount of said award for said system of water works and franchises within ninety days from the date when such award shall be rendered. The costs of said commission shall be borne equally by the said company and said town or village corporation.

Water works
subject to be
taken over
after five
years.