

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1865.

FORTY-FOURTH LEGISLATURE.

SENATE.

No. 2.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE.

AN ACT to supply the inhabitants of the city of Bangor
with pure water.

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

SECTION 1. James Dunning, Thomas Mason, Henry
2 A. Wood, John L. Hodsdon, with their associates and
3 successors, are hereby made and constituted a corpo-
4 ration by the name of the Bangor Water Company,
5 for the purpose of conveying to the city of Bangor a
6 supply of pure water for domestic and other purposes,
7 including a supply for the extinguishment of fires.

SECT. 2. Said corporation may hold real and per-
2 sonal estate necessary and convenient for the purposes

3 aforesaid, not exceeding in amount three hundred
4 thousand dollars.

SECT. 3. Said corporation is hereby authorized for
2 the purposes aforesaid to take, hold and convey to,
3 into and through the said city of Bangor the water of
4 Pushaw pond, so called, situate in the towns of Glen-
5 burn and Hudson, or of any other accessible pond or
6 body of water, suitable for the purposes aforesaid, by
7 pipes sunk below the bottom of the outlet of said body
8 of water, and may also take and hold, by purchase or
9 otherwise, any land or real estate necessary for laying
10 and maintaining aqueducts for conducting and dis-
11 charging, disposing of and distributing water, and for
12 forming resevoirs ; but nothing in this act shall be
13 taken or construed to prevent the owners of mills or
14 mill privileges, on the stream flowing through the out-
15 let of such pond or body of water, from using the
16 water thereof in the same manner that they now do,
17 or heretofore have done, but said mill owners shall
18 not, nor shall any other person or persons, be per-
19 mitted, either by cutting below the pipes of said cor-
20 poration, or in any other way, to withdraw the water
21 or to obstruct the water works of said corporation.

SECT. 4. Said corporation, within six months from
2 the time they shall take any lands for the purpose of

3 this act, shall file in the office of the registry of deeds
4 for the county wherein said lands lie, a description
5 thereof and a statement of the purposes for which
6 taken.

SECT. 5. Said corporation may construct an aqueduct
2 in manner aforesaid, from said pond or body of water
3 selected, to, into and through said city of Bangor, and
4 secure and maintain resevoirs, may distribute the
5 water by means of pipes throughout said city, may
6 regulate the use of said water, and establish the prices
7 and rents to be paid therefor; and the said corpora-
8 tion may, for the purposes aforesaid, carry and con-
9 duct any aqueducts under any water-course, street or
10 highway, railroad or other way, in such manner as not
11 to obstruct or impede travel thereon; and may enter
12 upon and dig up any such road, street or way, for the
13 purpose of laying down pipes beneath the surface
14 thereof, and for maintaining and repairing the same,
15 and in general to do any other acts and things neces-
16 sary, convenient and proper to be done for the pur-
17 poses of this act.

SECT. 6. Any person injured by the taking, using
2 or appropriating by said company of the waters of any
3 pond or body of water, or any land or material here-
4 after taken or used or flowed by the erection or making

5 of any of the works of said company to draw or use
6 said water, may have and pursue the same remedies as
7 is provided by chapter ninety-two of the revised stat-
8 utes in the case of flowing lands and diverting water
9 to supply mills, and the mode of obtaining damages
10 therefor.

SECT. 7. Said corporation shall be liable to pay all
2 damages that shall be sustained by any persons in their
3 property by the taking of any land or excavating
4 through any land for the purpose of laying down
5 pipes ; and if any person sustaining damage as afore-
6 said, and said corporation shall not mutually agree
7 upon the sum to be paid therefor, such person may
8 cause his damages to be ascertained in the same man-
9 ner and under the same conditions and limitations as
10 are by law prescribed in the case of damages by the
11 laying out of highways.

SECT. 8. If said corporation shall not be organized
2 and its works put into actual operation within five
3 years, this act shall be null and void.

SECT. 9. Any person who shall corrupt the waters
2 of any pond or body of water used by the company, or
3 render them impure, or who shall throw or leave the
4 carcasses of dead animals or other offensive or un-
5 healthy matter or materials upon said body of water

6 when frozen over, or who shall wilfully destroy or in-
7 jure any dam, reservoir, aqueduct, pipe, hydrant, or
8 other property held, owned, or used by said corpora-
9 tion for the purposes of this act, shall pay three times
10 the amount of damages to said company, to be recov-
11 ered in an action on the case, and every such person,
12 on conviction of either of said acts aforesaid, shall be
13 punished by fine not exceeding one hundred dollars,
14 and by imprisonment not exceeding six months.

SECT. 10. Any three of the persons mentioned in
2 this act may call the first meeting of said corporation
3 in any manner they shall see fit.

SECT. 11. This act shall take effect when approved
2 by the governor.

STATE OF MAINE.

IN SENATE, January 21, 1865.

Read twice, and, on motion of Mr. MANSON, laid on the table and 350 copies ordered to be printed for the use of the Legislature.

THOMAS P. CLEAVES, *Secretary.*