

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 164

In Senate, Feb. 1, 1913.

Came from the House referred to the Committee on Legal Affairs, and on motion by Senator Hastings of Androscoggin laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to Incorporate the Corinna Water Company.

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

Section 1. Belmont A. Smith, Thomas F. Burrill, Albion
2 K. P. Smith, William I. Wood, Horace D. Ridlon, William
3 A. Smith, John H. Winchester and John E. Gray, all of
4 Corinna, in the county of Penobscot, and Charles N. Taylor
5 of Wellesley, in the state of Massachusetts, with their asso-
6 ciates, successors and assigns are hereby made and consti-
7 tuted a body corporate by the name of the Corinna Water
8 Company, for the purpose of *conveying to and supplying

9 the inhabitants of Corinna, in said county of Penobscot, or
10 adjoining town or towns, or any water company in any ad-
11 joining town or towns, that may contract with the said
12 Corinna Water Company, with pure water for all domestic,
13 sanitary, municipal and commercial purposes, including the
14 extinguishment of fires, and also for constructing and main-
15 taining a sewerage system in said town of Corinna, with all
16 the rights and privileges, and subject to the liabilities and
17 obligations incident to similar corporations under the laws
18 of this state.

Sect. 2. Said corporation may take and hold by purchase,
2 condemnation proceedings, or otherwise, real and personal
3 estate, necessary and convenient for the purposes afore-
4 said, not exceeding one hundred thousand dollars.

Sect. 3. For any of the purposes aforesaid, or for the
2 preservation and purity of said water, said corporation is
3 hereby authorized to take, retain, collect, store, distribute
4 and use water from any springs, wells or other sources that
5 it may acquire by purchase of the owners thereof, or from
6 any lake, pond, stream, or other sources wholly or partly in
7 said town of Corinna, or from Dexter pond in the town of
8 Dexter, to conduct and distribute the same into and through
9 the said town of Corinna, and into and through any adjoin-
10 ing town or towns, or any water system owned and operated
11 by any water Company in any adjoining town or towns,
12 with which said Corinna Water Company may contract, to
13 survey for, locate, lay, construct and maintain suitable cribs,

14 dams, reservoirs, stand-pipes, machinery, pipes, aqueducts
15 and fixtures, to carry its pipes or aqueducts along, through,
16 over or under any water course, bridge, street, railroad, high-
17 way or other way, and also to lay and maintain pipes, con-
18 duits and other equipment for carrying, collecting and dis-
19 posing of sewerage, sewerage matter, waste, and waters, in
20 said town, and to enter upon and excavate any way in such
21 manner as least to obstruct the same, to enter upon, pass
22 over, and excavate any lands, and to take and hold by pur-
23 chase, condemnation proceedings, or otherwise any real es-
24 tate, rights of way, or of water, and in general to do any
25 acts necessary, convenient, or proper for carrying out the
26 purposes hereinbefore specified, and for the making of all
27 needed repairs or connections, to lay its pipes, through or
28 over any lands, public or private, and through, across, under
29 or along any way, public or private, with the right to enter
30 thereon and dig therein; and said corporation may establish
31 written regulations for the use of said water, or sewerage
32 services, and change the same from time to time.

Sect. 4. Said corporation shall file in the registry of deeds
2 in the county of Penobscot, plans of the location of all land
3 and water rights taken under the provisions of this act; and
4 no entry shall be made upon any land except to make sur-
5 veys until the expiration of ten days from said filing; and
6 with such plan said corporation may file a statement of the
7 damages it is willing to pay to any person for any property
8 thus taken, and if the amount finally awarded does not ex-

9 ceed that sum, the corporation shall recover costs against
10 said person, otherwise such person shall recover costs against
11 said corporation.

Sect. 5. Said corporation shall be held to pay all damages
2 that shall be sustained by any person or persons, to them-
3 selves or their property, occasioned by the use of said streets
4 or highways, and shall pay to said town of Corinna, or ad-
5 joining town, where said damage shall arise, all sums of
6 money recovered against it, from obstruction occasioned by
7 said corporation, and for all expenses including reasonable
8 counsel fees, incurred defending such suits, with interest on
9 the same, but said corporation may assume the defense in
10 such suits brought to recover damages as aforesaid; and
11 also for all damages sustained by any corporation, person
12 or persons by the taking of land, water, rights of way, or
13 other property, or by excavating through any land for the
14 purpose of surveying, locating, laying, or building cribs,
15 dams, reservoirs, stand-pipes, pipes, aqueducts or conduits,
16 and from any other injuries resulting from said acts; and
17 if any corporation, person or persons sustaining damage as
18 aforesaid shall not agree with said corporation upon the sum
19 to be paid therefor, either party upon petition to the county
20 commissioners of Penobscot county, within twelve months
21 after said plans are filed, may have said damages assessed
22 by them, and subsequent proceedings and appeal thereon,
23 shall be had in the same manner and under the same con-
24 ditions, restrictions and limitations as are by law prescribed

25 in the case of damages by the laying out of highways.

Failure to apply for damages within said twelve months
27 shall be held to be a waiver of the same.

Said corporation shall have the right to begin to occupy
29 such lands or rights for its corporate purposes before the
30 rendition of final judgment.

Sect. 6. The capital stock of said corporation shall be ten
2 thousand dollars, but may be increased from time to time
3 as the needs of said corporation may require to an amount
4 not exceeding one hundred thousand dollars, and the capital
5 stock of said corporation shall be divided into shares of fifty
6 dollars each.

Sect. 7. The place of business of said corporation shall
2 be at Corinna, in the county of Penobscot, state of Maine.

Sect. 8. Said corporation is hereby authorized to make
2 contracts with any corporations, individuals, the town of
3 Corinna, or any adjoining town, and any village corporation
4 in said town of Corinna or any adjoining town, and with
5 any fire or water district in said town of Corinna or any
6 adjoining town, for the purpose of supplying water as con-
7 templated by the purposes of this act and organization.

Sect. 9. Said corporation is hereby authorized to issue
2 bonds not exceeding in amount three-fourths of its capital
3 stock, the same to be a first lien upon its franchises and
4 property.

Sect. 10. The first meeting of said corporation may be
2 called by written notice thereof, signed by any two corpo-

3 rators named therein, served upon each corporator by giv-
4 ing him in hand, or by leaving the same at his last and usual
5 place of abode, seven days before the time of meeting.

Sect. 11. Said town of Corinna or any water district in-
2 cluding said town or portion thereof, at any time after the
3 expiration of five years from the opening for use and service
4 of a system of water works or a sewerage system constructed
5 by said corporation, including all contracts and rights then
6 existing, and after a vote in a legal town meeting to that
7 effect has been passed, shall have the right to purchase, and
8 by this act said corporation is required to sell to said town
9 or water district said water and sewerage systems, including
10 everything appertaining thereto. Said town or water dis-
11 trict in such purchase is hereby required to assume the pay-
12 ment of all outstanding bonds of said corporation. If said
13 town or said water district and said corporation cannot agree
14 upon the terms and price, then such terms and price shall
15 be determined and fixed by the chief justice of the supreme
16 court of the state of Maine, after due hearing of the parties
17 interested, and from the decision of said chief justice there
18 shall be no appeal.