

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)

Sixty-Seventh Legislature.

HOUSE.

No. 162.

STATE OF MAINE.

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

AN ACT to incorporate the Clinton Water and Electric
Company.

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

SECTION 1. A. Rowell, S. P. Felker, B. P. Porter,
2 George Leonard and W. T. Harris, and such persons as
3 they may associate with themselves in the enterprise, are
4 hereby incorporated into a corporation by the name of
5 the Clinton Water and Electric Light Company, for the
6 purpose of supplying the village of Clinton, in the town
7 of Clinton, in Kennebec county, and the vicinity of said
8 village, with pure water for domestic, sanitary and muni-
9 cipal purposes ; also for supplying said village and vicinity
10 with electric lights and power.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from any stream, lake, spring, or pond situated in said town of Clinton, in the county of Kennebec, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or townway in said town of Clinton, in such manner as the municipal officers of said town may approve.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs and other necessary buildings, and may locate and lay and maintain pipes in and through any lands for said purposes, and excavate in and through such lands for such location, construction and maintenance of said pipes, dams and reservoirs. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Kennebec, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct, and not more than two acres by any reservoir.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location and occupation and construction, the land owner may within twelve months after filing of plans of location, apply to the commissioner of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay

9 such land owner, or deposit for his use with the clerk of
10 the county commissioner, such sum as may be finally
11 awarded, as damages, with costs, within sixty days after
12 notice of final judgment shall have been received by the
13 clerk of courts of said county, the said location shall be
14 thereby invalid, and the company forfeit all rights under
15 the same. If such land owner recovers more damages
16 than were tendered by said company, he shall recover
17 costs, otherwise the company shall recover costs against
18 said land owner. Failure to apply for damages within
19 said twelve months, shall be held to be a waiver of the
20 same. No action shall be brought against said company
21 for such taking and occupation, until after such failure to
22 pay or deposit as aforesaid. Damages caused by flowage
23 are to be ascertained and paid in the same manner.

SECT. 5. Any person suffering damage by the taking
2 of water by said company, as provided by this act, may
3 have his damages ascertained in the manner provided by
4 the preceding section, and payment therefor shall be made
5 in the same manner and with the same effect. No action
6 shall be brought for the same until after the expiration of
7 the time of payment.

SECT. 6. The capital stock of said company shall be the
2 amount fixed by said company at its first meeting, but said
3 capital stock may at any regular or special meeting of said
4 company called for the purpose, by vote of the majority of
5 the stockholders, be increased, but the capital stock shall
6 not exceed one hundred thousand dollars.

SECT. 7. Said company may issue its bonds for the
2 construction of its works, of any and all kinds upon such
3 rates and times as it may deem expedient, not exceeding
4 the amount of capital stock subscribed for and secure the

5 same by mortgage of the franchise, income and property of
6 said company.

SECT. 8. The first meeting of said company may be
2 called by a written notice thereof, signed by any one incor-
3 porator herein named, served upon each of the other
4 incorporators by giving him the same in hand, or by leav-
5 ing the same at his last usual place of abode seven days
6 before the time of meeting.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 20, 1895. }

Reported by Mr. HAINES of Waterville, from Committee on Judiciary,
and ordered printed under House rules.

W. S. COTTON, *Clerk.*