

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)

NEW DRAFT.

Sixty-Eighth Legislature.

HOUSE.

No. 128.

STATE OF MAINE.

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

AN ACT to incorporate the Monson Water Company.

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

Section 1. J. F. Sprague, A. W. Chapin, Alvin Gray, H. G.
2 Sherman, Joseph Davison, E. M. Bray, P. W. Knight, D.
3 J. Jackson, Henry Hudson, George G. Proctor, their asso-
4 ciates and successors are hereby made a corporation by the
5 name of the Monson Water Company, for the purpose of
6 conveying to, and of supplying the inhabitants of the town of
7 Monson with water for all domestic, sanitary, municipal and
8 commercial purposes; with all the rights and privileges, and

9 subject to all the liabilities and obligations of similar cor-
10 porations under the general laws of this State.

Sect. 2. Said corporation may take and hold, by purchase
2 or otherwise, real and personal estate necessary and conven-
3 ient for the purposes aforesaid, not exceeding fifty thousand
4 dollars.

Sect. 3. For any of the purposes aforesaid or for the
2 preservation of the purity of said water, said corporation is
3 hereby authorized to take and use water from either Lake
4 Hebron, otherwise known as Hebron Pond, or from the
5 Taylor spring, so called, in the Taylor lot, so called, now
6 owned by A. W. Chapin, or from the Spectacle Ponds, all in
7 said Monson, in the county of Piscataquis, to conduct afore-
8 said, to survey for, locate, lay, erect and maintain suitable
9 dams, reservoirs, machinery, pipes, aqueducts and fixtures;
10 to carry its pipes or aqueducts under or over any water-
11 course, bridge, street, railroad, highway or other way; and
12 said corporation is further authorized to enter upon and
13 excavate any highway or other way, in such a manner as
14 least to obstruct the same, to enter, pass over and excavate
15 any lands, and to take and hold by purchase or otherwise,
16 any real estate, rights of way, or of water, and in general
17 do any acts necessary, convenient or proper for carrying out
18 any of the purposes hereinbefore specified. And said cor-
19 poration is further authorized for the purpose of making all
20 needed repairs, or service connections, to lay its pipes
21 through any public or private land or ways, with the right to

22 enter upon the same and dig therein; and said corporation
23 may establish written regulations for the use of the water
24 aforesaid, and change the same from time to time.

Sect. 4. Said corporation shall file in the registry of deeds,
2 in the county of Piscataquis, 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 on any lands except to make surveys,
5 until the expiration of ten days from said filing; and with
6 such plan the said corporation may file a statement of the
7 damages it is willing to pay to any person for the property
8 so taken, and if the amount finally awarded does not exceed
9 that sum, said corporation shall recover costs against said
10 person, otherwise such person shall recover costs against
11 said corporation.

Sect. 5. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any persons, to them-
3 selves or their property, occasioned by the use of such streets
4 and ways, and shall pay to said town all sums recovered
5 against said town for damages from obstructions caused
6 by said corporation, and for all expenses including reason-
7 able counsel fees incurred in defending said suits with inter-
8 est on the same, but said corporation may assume the defense
9 of all suits brought to recover damages as aforesaid; and
10 also for all damages sustained by any persons by the taking
11 of any lands, water, right of way, or other property, or by
12 excavating through any land for the purpose of surveying,
13 locating, laying or building dams, reservoirs, pipes, aque-

14 ducts, and for any other injuries resulting from said acts,
15 and if any person sustaining damages as aforesaid, shall not
16 agree with said corporation upon the sum to be paid there-
17 for, either party on petition to the county commissioners of
18 Piscataquis county within twelve months after said plans are
19 filed, may have said damage assessed by them and subse-
20 quent proceedings, and right of appeal thereon, shall be had
21 in the same manner and under the same conditions, restric-
22 tions and limitations, as are by law prescribed in the case of
23 damages by the laying out of highways. Failure to apply
24 for damages within twelve months shall be held to be a
25 waiver of the same.

Sect. 6. Said corporation is hereby authorized to lay down
2 and maintain in and through the streets and highways of the
3 town aforesaid, all such pipes, aqueducts and fixtures, as
4 may be necessary for the purposes hereinbefore specified.
5 Said Monson is hereby authorized to contract with said cor-
6 poration for a supply of said water, for fire or other purposes,
7 for a term of years, and at the expiration of such contract
8 to change or renew the same.

Sect. 7. The capital stock of said corporation shall not
2 exceed fifty thousand dollars.

Sect. 8. The first meeting of said corporation may be
2 called by written notice thereof, signed by any two of the cor-
3 porators herein named, served upon each corporator by giv-
4 ing him the same in hand, or by leaving the same at his last

5 and usual place of abode, seven days at least before such
6 meeting.

Sect. 9. This act shall become null and void in two years
2 from the time when the same takes effect, unless the cor-
3 poration shall have organized and commenced the construc-
4 tion of its works under this charter.

Sect. 10. Said corporation is hereby authorized to issue
2 bonds not exceeding the amount of its capital stock sub-
3 scribed for, the same to be the first lien upon its franchise
4 and property.

Sect. 11. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

February 19, 1897.

Reported by Mr. GUERNSEY of Dover, from Committee on Legal
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*