

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 31.

STATE OF MAINE.

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

AN ACT to incorporate the Brownville Water Company.

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

Section 1. J. F. Sprague, P. M. Jones, Edwin M. Johnston, and Wm. E. Jones, their associates and successors, are hereby made a corporation by the name of the Brownville Water Company, for the purpose of conveying to and supplying the inhabitants of the town of Brownville with water for all domestic, sanitary, municipal and commercial purposes; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the general laws of this State.

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

Sect. 3. For any of the purposes aforesaid or for the preservation of the purity of said water, said corporation is

3 hereby authorized to take and use water from springs of
4 water in lands owned by Urban Sumner, Catherine Jones and
5 William Jones, situate in the town of Williamsburg in the
6 county of Piscataquis, and Curtis Billings, situate in the town
7 of Brownville in said county of Piscataquis, to conduct afore-
8 said, to survey for, locate, erect and maintain, suitable dams,
9 reservoirs, machinery, pipes, aqueducts and fixtures; to carry
10 its pipes or aqueducts under or over any water course, bridge,
11 street, railroad, highway or other way; and said corporation
12 is further authorized to enter upon and excavate any high-
13 way or other way, in such a manner as least to obstruct the
14 same, to enter, pass over and excavate any lands, and to take
15 and hold by purchase or otherwise, any real estate, rights of
16 way or of water, and in general do any acts necessary, con-
17 venient or proper, for carrying out any of the purposes here-
18 inbefore specified. And said corporation is further author-
19 ized for the purpose of making all needed repairs or service
20 connections, to lay its pipes through any public or private
21 land or ways, with the right to enter upon the same and dig
22 therein; and said corporation may establish written regula-
23 tions for the use of the water aforesaid, and change the same
24 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 any person for the property so
8 taken, and if the amount finally awarded does not exceed that
9 sum, said corporation shall recover costs against said person,
10 otherwise such person shall recover costs against said cor-
11 poration.

Sect. 5. In case of failure to agree with any railroad company, as to place, manner and conditions of crossing its railroad with such pipe, the place, manner and conditions of such crossings shall be determined by the railroad commissioners and all work within the limits of the railroad location and lands, shall be done under the supervision and to the satisfaction of the officers and agents of the railroad company, but at the expense of the said water company.

Sect. 6. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, to themselves or their property, occasioned by the use of such streets and ways, and shall pay to said town all sums recovered against said town for damages from obstructions caused by said corporation, and for all expenses including reasonable counsel fees incurred in defending said suits with interest on the same, but said corporation may assume the defense of all suits brought to recover damages as aforesaid; and also for all damages sustained by any persons by the taking of any lands, water, right of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building dams, reservoirs, pipes, aqueducts, and for any other injuries resulting from said acts, and if any person sustaining damages as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party on petition to the county commissioners of Piscataquis county within twelve months after said plans are filed, may have said damage assessed by them and subsequent proceedings and right of appeal thereon, shall be had in the same manner and under the same conditions, restrictions and limitations, as are by law prescribed in the case of damages by the laying out of highways. Failure to apply for damages within twelve months shall be held to be a waiver of the same.

Sect. 7. 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 may
4 be necessary for the purposes hereinbefore specified. Said
5 Brownville 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 to
8 change or renew the same.

Sect. 8. The capital stock of said corporation shall not
2 exceed fifty thousand dollars.

Sect. 9. The first meeting of said corporation may be
2 called by written notice thereof, signed by any two of the
3 corporators herein named, served upon each corporator by
4 giving him the same in hand, or by leaving the same at his
5 last and usual place of abode, seven days at least before such
6 meeting.

Sect. 10. This act shall become null and void in two years
2 from the time when the same takes effect, unless the corpora-
3 tion shall have organized and commenced the construction
4 of its works under this charter.

Sect. 11. 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 and
4 property.

Sect. 12. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, February 1, 1899.

Reported by Mr. MANLEY of Augusta, from Committee on Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*