

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Seventieth Legislature.

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HOUSE.

No. 356

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## STATE OF MAINE.

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

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AN ACT to incorporate the Ashland Light and Water  
Company.

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

Section 1. Elbridge G. Dunn, George B. Hayward, E. R.  
2 McKay, Nathaniel S. Coffin, Lewis C. Coffin, George H.  
3 McNally, George S. Orcutt, Whitfield B. Hallett, Seth S.  
4 Thornton, with their associates and successors, are hereby  
5 made a corporation by the name of the Ashland Light and  
6 Water Company, for the purpose of supplying the town of  
7 Ashland with electric light, electric power and pure water.

Sect. 2. Said corporation, for said purposes, may hold real  
2 and personal estate necessary and convenient therefor, not  
3 exceeding one hundred thousand dollars.

Sect. 3. Said corporation is hereby authorized for the purposes aforesaid, to erect and maintain dams, reservoirs and stand pipes, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing water, and forming proper reservoirs therefor, and said corporation may take and hold by purchase or otherwise any lands or real estate necessary therefor, may take, store and use the water of any river, stream, lake, pond or spring, and may excavate through any lands when necessary for the purposes of this corporation.

Sect. 4. Said corporation is hereby authorized for the purposes aforesaid to carry on the business of lighting by electricity or otherwise, such public streets in the town of Ashland, and such buildings and places therein, public and private, as may be agreed upon by said corporation and the owners of those having control of such places to be lighted, and may furnish motive power by electricity or otherwise, within said town and may build and operate manufactories and works for providing and supplying electricity, light and power, and may take, lease, purchase and hold real estate, and personal estate therefor, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity or power, upon, under, along and over any and all streets and ways under the direction of the municipal officers of said town.

Sect. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation

8 cannot mutually agree upon the sum to be paid therefor,  
9 either party on petition to the county commissioners of  
10 Aroostook county may have the damages assessed by them;  
11 and subsequent proceedings and rights of appeal thereon  
12 shall be had in the same manner and under the same condi-  
13 tions and restrictions and limitations as are by law provided  
14 in case of damages by laying out highways.

Section 6. The capital stock of said corporation shall be  
2 one hundred thousand dollars, said stock to be divided into  
3 shares of twenty dollars each.

Section 7. Said corporation is hereby authorized to lay  
2 down, in and through the streets and ways of said town of  
3 Ashland, and to take up, replace and repair all such pipes,  
4 aqueducts and fixtures as may be necessary for the purposes  
5 of their incorporation, under such reasonable restrictions  
6 as may be imposed by the selectmen of said town, and said  
7 corporation shall be responsible for all damage to persons  
8 and property occasioned by the use of such streets and ways,  
9 and shall further be liable to pay to said town all sums  
10 recovered against said town for damages from obstructions  
11 caused by said corporation, and for all expenses, including  
12 reasonable counsel fees incurred in defending such suits,  
13 with interest on same.

Sect. 8. Said corporation is hereby authorized to make  
2 contract with said town of Ashland, and with other corpora-  
3 tions and individuals, for the purpose of supplying water,  
4 electric lights and power as contemplated by said act; and  
5 said town of Ashland by its selectmen, is hereby authorized  
6 to enter into contracts with said company for the supply of  
7 water, electric lights and power and such exemption from  
8 public burden as said town and said company may agree  
9 upon, which, when made, shall be legal and binding upon  
10 all parties thereto. And said town by vote may purchase

11 stock in said corporation, or guarantee interest on stock or  
12 bonds of said corporation and take and hold security upon  
13 its franchise or other property.

Sect. 9. Said corporation shall have power to cross any  
2 private or public sewer, or to change the direction thereof,  
3 when necessary for the purposes of this corporation, but in  
4 such a manner as not to obstruct or impair the use thereof;  
5 and said corporation shall be liable for any injury caused  
6 thereby. Whenever the company shall lay down any pipes  
7 in any street, or make any alteration or repairs upon its  
8 works in any street, it shall cause the same to be done with  
9 as little obstruction to public travel as may be practical,  
10 and shall at its own expense, without unnecessary delay,  
11 cause the earth and pavements removed to be replaced in  
12 proper condition.

Sect. 10. Said corporation may issue its bonds for the  
2 construction of its works, upon such rates and terms as it  
3 may deem expedient, not exceeding one hundred thousand  
4 dollars, and secure the same by mortgage of the franchise  
5 and property of said company.

Sect. 11. The first meeting of this corporation may be  
2 called by written notice signed by any three of the incorpor-  
3 ators, and served by personal service upon each of the other  
4 incorporators seven days before the day of said meeting.

Sect. 12. This act shall become null and void in four years  
2 from the time when the same takes effect, unless the corpor-  
3 ation shall have organized and commenced the construction  
4 of its works under this charter.

Sect. 13. The inhabitants of said town of Ashland are  
2 hereby authorized to purchase the franchise and property  
3 of said corporation, at any time after three years from the  
4 time this act takes effect, upon a two-thirds vote of the legal

5 voters present and voting at any annual meeting, called by  
6 a warrant containing an article for that purpose.

Sect. 14. If said corporation and said town of Ashland  
2 cannot agree upon a value of said franchise and property  
3 the same may be determined by a commission of three men,  
4 one to be appointed by the corporation, one by the town,  
5 and one by any justice of the supreme court.

Sect. 15. Said inhabitants of said town of Ashland, in case  
2 said town shall purchase the franchise and property of said  
3 corporation, shall succeed to all the rights and privileges of  
4 said corporation, and be subject to all its duties and obliga-  
5 tions, and the above named incorporators shall manage said  
6 franchise and property as trustees for said town of Ashland.

Sect. 16. This act shall take effect when approved.





STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 8, 1901.

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

W. S. COTTON, *Clerk.*