

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 54

STATE OF MAINE.

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

AN ACT to incorporate the Rangeley Water Company.

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

Section 1. Phineas Richardson, Whiting L. Butler, Walter
2 F. Oakes, John A. Russell, Harry A. Furbish, G. Lafayette
3 Kempton, John R. Toothaker and G. A. Proctor, with their
4 associates and successors, are hereby made a corporation,
5 under the name of the Rangeley Water Company, for the
6 purpose of supplying the inhabitants of the town of Rangeley
7 and adjoining plantations with suitable water for industrial,
8 manufacturing, domestic, sanitary and municipal purposes,
9 including the extinguishment of fire; with all the rights and
10 privileges, and subject to all the liabilities and obligations of
11 similar corporations under the laws of this State.

Sect. 2. For any of the purposes aforesaid, the said cor-
2 poration is hereby authorized to take and use water from the

3 lakes, ponds, rivers, streams, springs, or other waters in the
4 towns of Rangeley and Madrid, and in the plantations of
5 Greenvale, Sandy River, Rangeley and Dallas; to conduct
6 and distribute the same into and through any of the said
7 towns and plantations; and to survey for, locate, construct
8 and maintain suitable and convenient dams, reservoirs, build-
9 ings, machinery, lines of pipes, aqueducts, structures and
10 appurtenances.

Sect. 3. The said corporation is hereby authorized to lay,
2 construct and maintain its lines of pipe under, in and over
3 any river or other stream of water in any of the said towns
4 or plantations, and to build and maintain all necessary
5 structures therefor, at such places as may be necessary for
6 the said purposes of the said corporation; and to cross any
7 water course, private or public sewer, or to change the direc-
8 tion thereof, where necessary for the said purposes of the said
9 corporation, but in such manner as not to obstruct or impair
10 the use thereof, and the said corporation shall be liable for
11 any injury or damage caused thereby.

Sect. 4. The said corporation is hereby authorized to lay,
2 construct and maintain in, under, through, along, over and
3 across the highways, ways, streets, railroads and bridges in
4 the said towns and plantations named in section 2 of this act,
5 and to take up, replace and repair, all such aqueducts, pipes,
6 hydrants and other structures and fixtures as may be neces-
7 sary and convenient for the said purposes of said corpora-
8 tion; and said corporation shall be responsible for all damages
9 to the said towns and plantations and to all corporations,
10 persons and property, occasioned by such use of said high-
11 ways, ways and streets. Whenever the said corporation shall
12 lay down or construct any fixtures in any highway, way or
13 street, it shall cause the same to be done with as little obstruc-
14 tion to public travel as may be practicable, and shall at its
15 own expense, without unnecessary delay, cause the earth and

16 pavement then removed by it, to be replaced in proper con-
17 dition.

Sect. 5. The said corporation is hereby authorized to take
2 and hold, by purchase or otherwise, any lands necessary for
3 flowage, and also for its dams, reservoirs, gates, hydrants,
4 buildings and other necessary structures, and may locate,
5 erect, lay and maintain aqueducts, lines of pipe, hydrants,
6 and other necessary structures or fixtures, in, over and
7 through any land for the said purposes, and excavate in and
8 through such land for such location, construction and erec-
9 tion. And in general to do any acts necessary, convenient or
10 proper, for carrying out any of the said purposes of said cor-
11 poration. It may enter upon such lands to make surveys and
12 locations, and shall file in the registry of deeds for the county
13 of Franklin, plans of such locations and lands, showing the
14 property taken, and within thirty days thereafter publish
15 notice of such filing in some newspaper in said county, such
16 publication to be continued three weeks successively. Not
17 more than two rods in width of land shall be occupied by
18 any one line of pipe or aqueduct.

Sect. 6. Should the said corporation and the owner of any
2 land required for the said purposes of said corporation, be
3 unable to agree upon the damages to be paid for such loca-
4 tion, taking, holding and construction, the land owner may,
5 within twelve months after the said filing of plans of location,
6 apply to the commissioners of said county of Franklin, and
7 cause such damages to be assessed in the same manner and
8 under the same conditions, as are prescribed by law in the
9 case of damages by the laying out of railroads. If the said
10 corporation shall fail to pay such land owner, or deposit for
11 his use with the clerk of the county commissioners aforesaid,
12 such sums as may be finally awarded as damages, with costs
13 when recovered by him, within ninety days after notice of
14 final judgment shall have been received by the clerk of courts

15 of the said county, the said location shall be thereby invalid
16 and the said corporation shall forfeit all rights under the
17 same, as against the owner of the land. The said corporation
18 may make a tender to any land owner damaged under the
19 provisions of this act, and if such land owner recovers more
20 damages than was tendered him by the said corporation, he
21 shall recover costs, otherwise the said corporation shall
22 recover costs. In case the said corporation shall begin to
23 occupy such land before the rendition of final judgment, the
24 land owner may require the said corporation to file its bond
25 to him with the said county commissioners, in such sum and
26 with such sureties as they may approve, conditioned for the
27 payment of the damages that may be awarded. No action
28 shall be brought against the said corporation for such taking,
29 holding and occupation, until after such failure to pay or
30 deposit as aforesaid. Failure to apply for damages within
31 the said twelve months shall be held to be a waiver of the
32 same.

Sect. 7. The said corporation is hereby authorized to make
2 contracts with the United States, the State of Maine, the
3 county of Franklin, the towns and plantations named in
4 section 2 of this act, and Rangeley Village Corporation in the
5 said town of Rangeley, and with the inhabitants of said towns,
6 plantations and Village Corporation, or any corporations
7 doing business therein, for the supply of water and power for
8 the purposes contemplated in this act; and the said towns,
9 plantations and Village Corporation, by their proper officers,
10 are hereby authorized to enter into contract with the said
11 water company for a supply of water for any and all pur-
12 poses mentioned in this act, and for such exemption from
13 public burdens as the said towns and the said water company
14 may agree upon, which when made, shall be legal and bind-
15 ing upon all parties thereto.

Sect. 8. The capital stock of the said water company shall
2 be twenty thousand dollars, which may be increased to any
3 sum not exceeding fifty thousand dollars, by a majority vote
4 of the stockholders of the said water company; and the stock
5 shall be divided into shares of one hundred dollars each.

Sect. 9. The said water company for all its purposes, may
2 hold real and personal estate necessary and convenient there-
3 for, to the amount of fifty thousand dollars.

Sect. 10. The said water company may issue its bonds for
2 the construction of its works, of any and all kinds, upon such
3 rates and time as it may deem expedient not to exceed the
4 amount of the capital stock subscribed for, and secure the
5 same by mortgage of its franchise and property.

Sect. 11. The first meeting of said water company shall be
2 called by a written notice thereof, signed by any two of the
3 named incorporators, served upon each named incorporator
4 by giving him the same in hand, or by leaving the same at
5 his last and usual place of abode at least seven days before
6 the time of meeting, or by publishing said notice in some
7 newspaper published in said county of Franklin.

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

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 4, 1903.

Reported by Mr. ALLEN of Sanford, from Committee on the Judiciary,
and ordered printed under joint rules.

W. S. COTTON, *Clerk*