

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 33

STATE OF MAINE.

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

AN ACT to incorporate the Island Falls Water Company.

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

Section 1. John E. Webb, Seth T. Campbell and Fred W.
2 Snow, and such persons as they may associate with them-
3 selves in the enterprise, and their successors, are hereby
4 incorporated into a corporation by the name of the Island
5 Falls Water Company, for the purpose of supplying the town
6 of Island Falls, in the county of Aroostook, and the inhab-
7 itants of said town, with pure water for industrial, manu-
8 facturing, domestic, sanitary and municipal purposes, includ-
9 ing the extinguishment of fires.

Sect. 2. Said company, for said purposes, may detain,
2 collect, take, store, use and distribute water from the west

3 branch of the Mattawamkeag river, or any other water
4 source or sources, in said town of Island Falls.

Sect. 3. Said company is hereby authorized to lay, con-
2 struct, and maintain in, through, along and across the high-
3 ways, ways, streets, bridges in said town, and to take up,
4 replace and repair all such sluices, aqueducts, pipes, hydrants
5 and structures as may be necessary for the purposes of their
6 incorporation, under such reasonable restrictions and condi-
7 tions as the selectmen may impose. And said company shall
8 be responsible for all damages to all corporations, persons
9 and property occasioned by the use of such highways and
10 streets, and shall pay to said town all sums recovered against
11 said town for damages from obstruction caused by said cor-
12 poration, and for all expenses, including reasonable counsel
13 fees incurred in defending such suits with interest on the
14 same.

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

Sect. 5. Said company is hereby authorized to lay, con-
2 struct and maintain its pipes under the highways, ways and
3 streets in said Island Falls, and build and maintain all neces-
4 sary structures thereof, to build dams and reservoirs for

5 storage of water across any river, brook or stream in said
6 Island Falls.

Sect. 6. Said company may take and hold any lands neces-
2 sary for reservoirs, dams, hydrants and other necessary
3 structures, and may locate, lay and maintain pipes, hydrants
4 and other necessary structures and fixtures in, over and
5 through any land for its purposes, also excavate in and
6 through such lands for such locations, construction and
7 maintenance. It may enter upon such lands to make sur-
8 veys and locations and shall file in the office of the county
9 commissioners of Aroostook county and record in the regis-
10 try of deeds in said county of Aroostook, plans of the loca-
11 tion of all lands or interests therein or water rights to be
12 taken with an appropriate description and names of the
13 owners thereof. No entry shall be made on any private
14 lands, except to make surveys, until the expiration of ten
15 days from such filing, whereon possession may be had of all
16 said lands or interests therein or water rights so taken but
17 title thereto shall not vest in said company until payment
18 therefor.

Sect. 7. Should the said company and the owner of such
2 land, be unable to agree upon the damages to be paid for such
3 location, taking, holding and construction, either party upon
4 petition to the county commissioners of said county of Aroos-
5 took, may have said damages assessed by them; the pro-
6 cedure and all subsequent proceedings and right of appeal
7 thereon shall be had under the same conditions, restrictions
8 and limitations, as are by law prescribed in the case of
9 damages by the laying out of highways.

Sect. 8. Said corporation is hereby authorized to make
2 contracts with the United States, and with corporations and
3 inhabitants of said town of Island Falls, or any village corpo-
4 ration or association in said town, for the purpose of supply-

5 ing water as contemplated by this act, and said town of Island
6 Falls, or part thereof, is hereby authorized by its selectmen
7 to enter into contract with said company for a supply of
8 water for any and all purposes mentioned in this act, and
9 any village corporation in said town through its assessors is
10 also authorized to contract with said company for water for
11 all public purposes.

Sect. 9. Whoever shall wilfully or maliciously corrupt
2 the water of said company, whether frozen or not, or in any
3 way render such water impure, or whoever shall wilfully or
4 maliciously injure any of the works of said company, shall
5 be punished by fine not exceeding one thousand dollars, or
6 by imprisonment not exceeding two years, and shall be liable
7 to said company for three times the actual damage, to be
8 recovered in any proper action.

Sect. 10. The capital stock of said corporation shall be ten
2 thousand dollars, which may be increased to fifty thousand
3 dollars by a vote of said company, and said stock shall be
4 divided into shares of twenty-five dollars each.

Sect. 11. Said company for all its said purposes may hold
2 real and personal estate necessary and convenient therefor.

Sect. 12. Said company may issue its bonds for the con-
2 struction of its works of any and all kinds, upon such rates
3 and time as it may deem expedient, not exceeding the sum
4 of fifty thousand dollars, and secure the same by mortgage
5 of the franchise and property of said company.

Sect. 13. The first meeting of said company may be called
2 by a written notice thereof, signed by any one corporator
3 herein named, served upon each corporator by giving him
4 the same in hand or by leaving the same at his last and usual
5 place of abode, seven days before the time of said meeting.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, January 31, 1905.

Reported by Mr. NEWCOMB from Committee on Judiciary, and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*