

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 420

STATE OF MAINE.

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

AN ACT to incorporate the Danforth Water Company.

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

Section 1. Charles A. Putnam, Henry H. Putnam, Jr.,
2 Varney A. Putnam and Edgar B. Putnam, of Danforth, their
3 associates, successors and assigns, are hereby made a cor-
4 poration by the name of the Danforth Water Company, for
5 the purpose of supplying the town of Danforth in the county
6 of Washington, and the inhabitants of said town with water
7 for domestic, sanitary and municipal purposes, including the
8 extinguishment of fires, with all the rights and privileges of
9 similar corporations under the laws of this State.

Sect. 2. Said company for said purposes, may retain, col-
2 lect, take, store, use and distribute water from any springs

3 or wells, ponds, streams, or other water sources, that it may
4 acquire by purchase or as otherwise provided in this act, of
5 the owners thereof, and may locate, construct and maintain
6 cribs and reservoirs, and take all dams on the Baskahegan
7 stream, and standpipes, gates, hydrants, pipes and other nec-
8 essary structures to conduct and distribute the same through
9 said town of Danforth in the usual manner.

Sect. 3. The place of business of said corporation shall
2 be at Danforth in the county of Washington and State of
3 Maine.

Sect. 4. Said corporation is hereby authorized for the pur-
2 poses aforesaid, to lay, construct and maintain in, under,
3 through, along and across the highways, ways, streets, rail-
4 roads and bridges in said town, and to take up, replace and
5 repair all such sluices, aqueducts, pipes, hydrants and struc-
6 tures as may be necessary for the purpose of its incorpora-
7 tion, in such a manner as not to unreasonably obstruct the
8 same, and under such reasonable restrictions and conditions
9 as the selectmen of said town may impose.

Sect. 5. Said company shall have power to cross any
2 water course, private and public sewer, or to change the
3 direction thereof where necessary for the purpose of its
4 incorporation, but in such manner as not to obstruct or impair
5 the use thereof. Whenever said company shall lay down any
6 fixtures in any highway, way or street, or make any alter-
7 ations or repairs upon its works in any highway, way or
8 street, it shall cause the same to be done with as little obstruc-
9 tion to public travel as may be practicable, and shall, at its
10 own expense, without unnecessary delay, cause the earth and
11 pavements thus removed by it, to be replaced in proper con-
12 dition.

Sect. 6. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any person by the taking
3 of any land or other property, or by flowage, or by excavating

4 through any land for the purpose of laying down pipes and
5 aqueducts, building dams and reservoirs; and if any person
6 sustaining damage as aforesaid, and said corporation cannot
7 mutually agree upon the sum to be paid therefor, either party
8 on petition to the county commissioners of Washington
9 county, may have the damages assessed by them; and subse-
10 quent proceedings and rights of appeal thereon shall be had
11 in the same manner and under the same conditions, restric-
12 tions and limitations as are by law provided in case of land
13 taken for highways.

Sect. 7. Said corporation is also hereby authorized to carry
2 on the business of lighting by electricity the public streets
3 and such buildings and places in the town of Danforth, both
4 public and private, as may be agreed upon by said corpora-
5 tion, and the owners, or those having control of such places
6 to be lighted; and may furnish motive power by electricity
7 or otherwise, and may build, maintain, and operate works or
8 plants or lease power for the purpose of generating, provid-
9 ing, supplying and selling electricity, and may erect and
10 maintain poles and wires for the transmission of electricity
11 and power upon, under, along and over any and all streets
12 and ways in the town of Danforth.

Sect. 8. Said corporation is also authorized to consolidate
2 with or acquire by lease or purchase, the dams, water mills
3 and privileges in said town and in the town of Brookton on
4 the Baskahegan stream, so far as may be necessary for the
5 authorized purposes of this company only, and no right to
6 be exercised that will interfere in any way with the driving
7 of logs.

Sect. 9. Said corporation shall file in the registry of deeds'
2 office in the county of Washington, plans for the location of
3 lands and other property taken under the provisions of this
4 act, and when so filed such property shall be deemed and
5 treated as taken and with said plans said corporation may

6 file a statement of damages it is willing to pay for any prop-
7 erty so taken, and if the amount finally awarded does not
8 exceed that sum, the corporation shall recover costs against
9 such parties, otherwise such parties shall recover costs against
10 the corporation.

Sect. 10. Said corporation may hold real and personal
2 estate necessary and convenient for all its said purposes to
3 an amount equal to its capital stock.

Sect. 11. Said corporation may issue its bonds for the con-
2 struction of its work, upon such rates and terms as it may
3 deem expedient, and secure the same by mortgage of the
4 franchise and property of said company.

Sect. 12. The capital stock of said corporation shall be
2 ten thousand dollars, said stock to be divided into shares of
3 one hundred dollars each. The capital stock may, by vote
4 of the corporation, be increased to any amount not exceeding
5 one hundred thousand dollars.

Sect. 13. The first meeting of this corporation may be
2 called by written notice, signed by any one of the incorpora-
3 tors and served upon each of the other incorporators at least
4 seven days before the day of said meeting, naming the time,
5 place and purpose of such meeting.

Sect. 14. This act shall become null and void in four years
2 from the time when the same takes effect, unless the corpo-
3 ration shall have organized and commenced the construction
4 of its works under this charter.

Sect. 15. Said corporation is hereby authorized to make
2 contracts with said town of Danforth, and with other corpo-
3 rations and individuals for the purpose of supplying water or
4 lights, or both, for municipal and other purposes; and said
5 town, by its selectmen, is hereby authorized to enter into con-
6 tract with said corporation for said purposes for public uses,
7 on such terms and for such time and with such exemption

8 from public burden as the parties may agree, which, when
9 made, shall be legal and binding on all parties thereof, and
10 said town of Danforth for this purpose may raise money in
11 the same manner as for other town charges.

Sect. 16. If any person shall wantonly or maliciously
2 injure any of the structures, reservoirs, hydrants, pipes, or
3 other property, or water supply, whether frozen or not, of
4 said corporation, he shall, on conviction thereof, be punished
5 by a fine not exceeding one thousand dollars, or by imprison-
6 ment not exceeding two years, or both, and shall be liable to
7 pay triple damages to said corporation, to be recovered in an
8 action before any court of competent jurisdiction.

Sect. 17. The inhabitants of said town of Danforth are
2 hereby authorized to purchase the franchises and property of
3 said corporation at any time at a price mutually agreed upon
4 by the selectmen of said town and the proper officers of said
5 corporation upon a majority vote of the legal voters present
6 and voting at any town meeting, called by a warrant contain-
7 ing an article for that purpose.

Sect. 18. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 8, 1905.

Reported by Mr. GRAY from Committee on Legal Affairs and ordered
printed under joint rules.

E. M. THOMPSON, *Clerk.*