

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 474

STATE OF MAINE.

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

AN ACT to amend the charter of the Wilton Water Company.

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

Section 1. In addition to the powers conferred upon it by
2 its act of incorporation by chapter two hundred and ninety-
3 three of the private and special laws of eighteen hundred
4 and ninety-five, the Wilton Water Company shall have the
5 following additional rights and powers.

Sect. 2. To supply the inhabitants of the town of Wilton
2 and the inhabitants of the villages of North Jay and Bean's
3 Corner in the town of Jay with pure water, sufficient for all
4 municipal, public and domestic purposes, including a
5 sufficient quantity for extinguishing fires, supplying hotels,

6 livery stables and laundries, for sprinkling streets, for run-
7 ning elevators and for motors, providing that such motors
8 shall not be used for manufacturing purposes; and such cor-
9 poration shall possess all the powers and privileges and be
10 subject to all the liabilities and obligations imposed upon
11 corporations by law, except as herein otherwise provided.

Sect. 3. The place of business of said corporation shall be
2 at Wilton, in the county of Franklin and State of Maine.

Sect. 4. For any of the purposes aforesaid the said cor-
2 poration is hereby authorized to take and use water from
3 Varnum pond, Wilson lake, or from any spring in actual use
4 for domestic purposes, or any pond, brook or other waters in
5 the town of Wilton, or from Hills pond in Perkins planta-
6 tion, to conduct and distribute the same into and through the
7 said towns of Wilton and Jay; and to survey for, locate,
8 construct and maintain all suitable and convenient dams,
9 reservoirs, sluices, hydrants, buildings, machinery, lines of
10 pipe, aqueducts, structures and appurtenances.

Sect. 5. The said corporation is hereby authorized to lay,
2 construct and maintain its lines of pipe in Perkins planta-
3 tion, Washington plantation and in the towns of Wilton and
4 Jay, and to build and maintain all necessary structures there-
5 for, at such places as shall be necessary for the said purposes
6 of said corporation; and to cross any watercourse, private
7 or public sewer, or to change the direction thereof, when
8 necessary for their said purpose of incorporation, but in
9 such a manner as not to obstruct and impair the use thereof,
10 and the said corporation shall be liable for any injury
11 caused thereby.

Sect. 6. The said corporaton 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 to take up, replace and repair all such

5 aqueducts, sluices, pipes, hydrants and other structures and
6 fixtures, as may be necessary and convenient for any of the
7 said purposes of the said corporation, under such reasonable
8 restrictions and conditions as the selectmen of the said towns
9 may impose; and the said corporation shall be responsible
10 for all damages to the said towns, and to all corporations,
11 persons and property occasioned by such use of the high-
12 way, ways and streets.

Whenever the said corporation shall lay down or construct
14 any pipes or fixtures in any highway, way or street, or make
15 any alteration or repairs upon its works, in any highway,
16 way or street, it shall cause the same to be done with as little
17 obstruction to public travel as may be practicable, and shall,
18 at its own expense, without unnecessary delay, cause the
19 earth and pavement then removed by it to be placed in proper
20 condition.

Sect. 7. The said corporation is hereby authorized to take
2 and hold by purchase or otherwise any land 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, hydrants, lines of pipes,
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 elec-
9 tion. And in general, to do any act necessary, convenient or
10 proper for carrying out any of the said purposes of incor-
11 poration. It may enter upon such land to make surveys and
12 locations, and shall file in the registry of deeds in the county
13 of Franklin, plans of such locations and lands, showing the
14 property taken, and within thirty days thereafter publish
15 notices 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 more than one line of pipe or aqueduct.

Section 8. Should the said corporation and the owner of 2 such land be unable to agree upon the damages to be paid 3 for such location, taking, holding, flowing and construction, 4 the land owner, or said corporation may, within twelve 5 months after said filing of plans of location, apply to the 6 commissioners of said county of Franklin, and cause such 7 damages to be assessed in the same manner and under the 8 same conditions as are prescribed by law in the case of dam- 9 ages by the laying out of highways, so far as such law is 10 consistent with the provisions of this act. If said corpora- 11 tion shall fail to pay such land owner, or deposit for his use 12 with the clerk of the county commissioners aforesaid, such 13 sum as may be finally awarded as damages, with costs when 14 recovered by him within ninety days after notice of final 15 judgment shall have been received by the clerk of courts of 16 said county, the said location shall be thereby invalid, and the 17 said corporation shall forfeit all rights under the same as 18 against such land owner. In case the said corporation shall 19 begin to occupy such land before the rendition of final judg- 20 ment, the land owner may require the said corporation to 21 file its bond to him with the said county commissioners, in 22 such sum and with such sureties as they may approve, con- 23 ditioned for said judgment or deposits. No action shall be 24 brought against the said corporation for such taking, holding 25 and occupation until after such failure to pay or deposit as 26 aforesaid.

Sect. 9. 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 of Wilton and Jay, and with 4 any village corporation in the said towns, and with the inhab- 5 itants thereof, or any corporation doing business therein, for 6 the supply of water for any and all the purposes contemplated 7 in this act; and the said towns and any village corpora- 8 tion in the said towns by their proper officers, are hereby

9 authorized to enter into any contract with the said corpora-
10 tion for a supply of water for any and all purposes mentioned
11 in this act, and in consideration thereof, to relieve said cor-
12 poration from such public burdens by abatement or other-
13 wise as said towns, village corporation, and the said corpo-
14 ration may agree upon, which, when made, shall be legal and
15 binding upon all parties thereto.

Sect. 10. Whoever shall knowingly or maliciously corrupt
2 the water supply of the said corporation, whether frozen or
3 not, or in any way render such water impure, or whoever
4 shall wilfully or maliciously injure any of the works of the
5 said corporation, shall be punished by a fine not exceeding
6 one thousand dollars, or by imprisonment not exceeding two
7 years, and shall be liable to the said corporation for three
8 times the actual damage, to be recovered in any proper
9 action.

Sect. 11. The capital stock of the said corporation shall be
2 twenty-five thousand dollars, which may be increased to any
3 sum not exceeding one hundred thousand dollars, by a
4 majority vote of the stockholders of the said corporation;
5 and the stock shall be divided into shares of twenty-five dol-
6 lars each.

Sect. 12. The said corporation for all its said purposes,
2 may hold real and personal estate necessary and convenient
3 therefor, not exceeding three hundred thousand dollars.

Sect. 13. The said corporation may issue its bonds for the
2 construction of its works, of any and all kinds, upon such
3 rates and time as it may deem expedient, to an amount not
4 exceeding its capital stock subscribed for, and secure the
5 same by mortgage of its franchise and property.

Sect. 14. All acts and doings of the Wilton Water Com-
2 pany in connection with its charter are hereby declared to
3 be legal and valid.

Sect. 15. All private acts and parts of private acts inconsistent with this act are hereby repealed. Provided, however, the repeal of the said acts or parts of acts shall not affect any act done, or any act accruing or accrued.

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 9, 1905.

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

E. M. THOMPSON, *Clerk.*