

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

SENATE.

No. 120

STATE OF MAINE.

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

AN ACT to incorporate the Fort Kent Water Company.

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

Section 1. Joseph Archambault, Felix R. Morneault and
2 Isadore B. Bourgoïn, and such persons as they may associate
3 with themselves in the enterprise, and their successors, are
4 hereby incorporated into a corporation by the name of the
5 Fort Kent Water Company, for the purpose of supplying the
6 town of Fort Kent, in the county of Aroostook, and the
7 inhabitants of said town, with pure water for industrial, man-
8 ufacturing, domestic, sanitary and municipal purposes,
9 including extinguishment of fires.

Sect. 2. Said company is, for said purposes, authorized to
2 take, collect, detain, store, use and distribute the water from
3 any river, spring, pond, stream and other water sources in
4 the town of Fort Kent.

Sect. 3. Said company is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets and bridges in said town, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants, and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen may impose. And said company shall be responsible for all damage to all corporations, persons and property occasioned by the use of such highways, ways and streets, and shall pay to said town all sums recovered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

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

Sect. 5. Said company is hereby authorized to lay, construct and maintain its pipes under the highways, ways and streets in said Fort Kent and to build and maintain all necessary structures thereof, to build dams and reservoirs for storage of water across any brook or stream in said Fort Kent.

Sect. 6. Said company may take and hold any lands necessary for reservoirs, hydrants and other necessary structures,

3 and may locate, lay and maintain pipes, hydrants and other
4 necessary structures or fixtures in, over and through any
5 land for its purposes, and excavate in and through such lands
6 for such locations, construction and maintenance. It may
7 enter upon such lands to make surveys and locations and shall
8 file in the northern registry of deeds in said county of Aroos-
9 took, plans for such locations and lands showing the property
10 taken.

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, the land owner
4 may within twelve months after said filing of plans of loca-
5 tion, apply to the county commissioners of said county of
6 Aroostook and cause such damages to be assessed in the same
7 manner and under the same conditions, restrictions and limi-
8 tations, as are by law prescribed in the case of damages by
9 the laying out of highways, so far as such law is consistent
10 with the provisions of this act.

Sect. 8. Said corporation is hereby authorized to make con-
2 tracts with the United States, and with corporations and
3 inhabitants of said town of Fort Kent, or any village corpora-
4 tion or association in said town, for the purpose of supplying
5 water as contemplated by this act, and said town of Fort Kent,
6 or part thereof, is hereby authorized by its selectmen to enter
7 into contract with said company for a supply of water for any
8 and all purposes mentioned in this act, and for such exemp-
9 tion from public burden as said town and said company may
10 agree, which, when made, shall be legal and binding upon
11 all parties thereto. The town of Fort Kent through its
12 municipal officers, is also authorized to contract with said
13 company for water for all public purposes.

Sect. 9. Whoever shall wilfully or maliciously corrupt the
2 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 by
6 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 company shall be such
2 as agreed upon by a vote of said company of not more than
3 twenty-five thousand dollars, which may be increased to fifty
4 thousand dollars, by a vote of said company, and said stock
5 shall be divided into shares of twenty-five dollars each.

Sect. 11. Said company for all of its said purposes, may
2 hold real and personal estate necessary and convenient, not
3 exceeding in amount fifty thousand dollars.

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 of
4 fifty thousand dollars, and secure the same by mortgage of
5 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 three corporators
3 herein named, served upon each corporator by giving him the
4 same in hand or by leaving the same at his last usual place of
5 abode, seven days before the time of meeting.

Sect. 14. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 24, 1905.

Reported by Mr. PIERCE from Committee on Legal Affairs and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*