

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 102

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## STATE OF MAINE.

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

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AN ACT to incorporate the St. George Water Company.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. William L. Allen, I. E. Archibald, William E.  
2 Schwartz, George E. Allen, Reuel Robinson, H. L. Shep-  
3 herd, Maynard S. Bird and Albert E. Angier, their asso-  
4 ciates, successors and assigns, are hereby made a corpo-  
5 ration by the name of St. George Water Company, for the  
6 purpose of supplying the town of St. George in the county  
7 of Knox, and the inhabitants thereof with pure water for  
8 domestic, sanitary, industrial and municipal purposes, in-  
9 cluding the extinguishment of fires; with all the powers,  
10 rights and privileges, and subject to all the duties, liabilities

11 and obligations of similar corporations under the laws of  
12 this State.

Sect. 2. The said corporation is hereby authorized for  
2 the purposes aforesaid to retain, collect, take, store, use  
3 and distribute water from Turkey Pond, so called, in said  
4 town of St. George, or from any springs or wells, that they  
5 may acquire by purchase of the owners thereof, and from  
6 other ponds, streams or other water sources in said town  
7 of St. George; and may locate, construct and maintain cribs,  
8 reservoirs, dams, standpipes, gates, hydrants, pipes and all  
9 other necessary structures or conduits to conduct and dis-  
10 tribute, accumulate and discharge water in the usual man-  
11 ner, and to form proper reservoirs thereof; to excavate,  
12 lay down, replace, repair and maintain its pipes and aque-  
13 ducts through any land or real estate necessary for the  
14 purpose of this incorporation; to lay its pipes and aque-  
15 ducts and construct and maintain the same with all neces-  
16 sary fixtures in, upon, along, and under the roads and streets  
17 of said town with such reasonable restrictions as may be  
18 imposed by the municipal officers thereof in accordance with  
19 the general laws of the State.

Sect. 3. Said corporation shall be held liable to pay all  
2 damages that may be sustained by any person by the taking  
3 of land or other property, by excavating through any land  
4 for the purpose of laying down pipes and aqueducts, build-  
5 ing dams or reservoirs, or the erection of any necessary  
6 structures, or for flowage; and also damages for any other

7 injuries resulting from said acts; and if any person sus-  
8 taining damage as aforesaid, and said corporation cannot  
9 mutually agree upon the sum to be paid therefor, either  
10 party, on petition to the county commissioners of Knox  
11 county, may have the damages assessed by them; and sub-  
12 sequent proceedings and rights to appeal thereon, shall be  
13 had in the same manner and under the same conditions,  
14 restrictions and limitations, as are by law provided in case  
15 of land taken for railroads.

Sect. 4. Said corporation, at its own expense, without  
2 unnecessary delay, shall remove any and all obstructions in  
3 any street or road made in excavating and laying its pipes  
4 and aqueducts and shall cause earth disturbed to be properly  
5 replaced. It shall be responsible for all damage to person  
6 and property occasioned by the use of such streets and roads,  
7 and shall further be liable to pay to said town all sums  
8 recovered against said town for damages for obstruction  
9 caused by said company, and for all expenses including  
10 reasonable counsel fees, incurred in defending such suits  
11 with interest on the same, provided said company shall have  
12 notice of such suits and opportunity to defend the same.

Sect. 5. Said company shall have power to cross any  
2 water course, private or public sewer, or to change the  
3 direction thereof, when necessary for the purposes of its  
4 incorporation, but in such manner as not to obstruct the  
5 use thereof, and it shall be liable for any injury caused  
6 thereby.

Sect. 6. Said corporation shall have authority to enter  
2 upon any land for the purpose of making surveys and loca-  
3 tions and shall file in the registry of deeds for said county  
4 of Knox, plans of the land and other property to be taken  
5 and when so filed such lands and other property shall be  
6 deemed and treated as taken; with said plans, said corpo-  
7 ration may file a statement of the damages it is willing to  
8 pay for any property so taken, and if the amount finally  
9 awarded does not exceed that sum, the corporation shall  
10 recover costs against such parties, otherwise such parties  
11 shall recover costs against said corporation.

Sect. 7. Said corporation, for its said purposes may hold  
2 real and personal property necessary and convenient there-  
3 for.

Sect. 8. The capital stock of said corporation shall be  
2 fifty thousand dollars, which may be divided into such  
3 number of shares as it shall by vote determine.

Sect. 9. Said corporation may issue its bonds for the con-  
2 struction of its works, upon such rates and terms as it  
3 may deem expedient, not exceeding the amount of its cap-  
4 ital stock, and secure the same by mortgage of its franchise  
5 and property.

Sect. 10. Said corporation is hereby authorized to make  
2 contracts with said town of St. George, and with other  
3 corporations and individuals, for the purpose of supplying  
4 water, for municipal and other purposes; and said town  
5 by its selectmen, is hereby authorized to enter into contract

6 with said company for the supply of water, with such ex-  
7 emptions from public burden as said town and said com-  
8 pany may agree upon, which, when made, shall be legal  
9 and binding upon all parties thereto.

Sect. 11. Whoever shall knowingly or maliciously cor-  
2 rupt the water supply of said corporation, or any ice for-  
3 mation thereon, or in any way render such water impure,  
4 or whoever shall wilfully or maliciously injure any of the  
5 works of said corporation, shall be punished by a fine not  
6 exceeding one thousand dollars, or by imprisonment not  
7 exceeding two years, and shall be liable to said corporation  
8 for three times the actual damage, to be recovered in any  
9 proper action.

Sect. 12. Said town of St. George at any time after the  
2 expiration of five years from the opening for use and  
3 service of a system of water works constructed by said cor-  
4 poration and after a vote in a legal town meeting to that  
5 effect has been passed, shall have the right to take over  
6 and purchase, and by this act said corporation is required  
7 to sell to said town said system of water works, including  
8 everything appertaining thereto, for such price as may be  
9 agreed upon by said town and said corporation. And should  
10 said parties be unable to agree upon the amount the same  
11 shall be left for the determination of three persons to be  
12 chosen as follows; one by said town, one by said corpo-  
13 ration, and the third, who shall be a person learned in the  
14 law and a resident of Knox county, shall be appointed by

15 the chief justice of the supreme judicial court, and the find-  
16 ing of the aforesaid three persons shall be final and con-  
17 clusive in the matter as between the parties.

Sect. 13. The first meeting of said corporation may be  
2 called by written notice thereof, signed by two of the  
3 incorporators herein named, served upon each corporator  
4 by giving him the same in hand, by leaving the same at  
5 his place of last and usual abode, or by sending the same  
6 to him by registered mail, at least seven days before the  
7 day of said meeting.





STATE OF MAINE.

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HOUSE OF REPRESENTATIVES.

Augusta, Feb. 5, 1909.

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

E. M. THOMPSON, *Clerk.*