

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 364

STATE OF MAINE.

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

AN ACT in relation to the South Paris Village Corporation
and to establish a municipal water system for said corpo-
ration.

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

Section 1. The South Paris Village Corporation, created
2 and duly organized by law, in the town of Paris and county
3 of Oxford, in addition to the powers already granted it, is
4 hereby authorized and empowered to install a municipal
5 water system for the purpose of supplying the South Paris
6 Village Corporation, the inhabitants of said Village Cor-
7 poration and the inhabitants of the town of Paris with pure
8 water for domestic, industrial, manufacturing, sanitary and

9 municipal purposes, including the extinguishment of fires,
10 and all other purposes which said corporation may need
11 water for.

Sect. 2. For the purpose of carrying out the provisions
2 of this act, said South Paris Village Corporation may detain,
3 collect, store, use and distribute water from Stony brook
4 and Cooper Spring brook in said town of Paris, and from
5 any tributaries of said brooks or any source of the waters
6 flowing in either of said brooks in the town of Paris, may
7 enter upon any lands in said town of Paris for the purpose
8 of making surveys for its pipe lines or works, and may take
9 and hold by purchase or otherwise any land and real estate
10 necessary for erecting dams, power, reservoirs, or for pre-
11 serving the purity of the water in said water shed, and for
12 laying and maintaining aqueducts and pipes for taking, dis-
13 charging, conveying and disposing of said water.

Sect. 3. Said South Paris Village Corporation shall be
2 liable for all damages that shall be sustained by any person
3 or corporation in their property by the taking of any land
4 whatsoever, or water or by flowage, or by excavating through
5 any land for the purpose of laying pipes, building dams or
6 constructing reservoirs. If any person or corporation sus-
7 taining damages as aforesaid and said Village Corporation
8 shall not mutually agree upon the sum to be paid therefor,
9 such person or corporation may cause his or its damages
10 to be ascertained in the same manner and under the same
11 conditions, restrictions and limitations as are, or may be

12 prescribed in the case of damages in laying out highways.

Sect. 4. Said Village Corporation is hereby authorized to
2 lay in and through the streets and highways of the South
3 Paris Village Corporation and of the town of Paris, and
4 to take up, repair and replace all such pipes, aqueducts and
5 fixtures as may be necessary for the objects above set forth,
6 and when said Village Corporation shall lay any pipes or
7 aqueducts or dig up any of said streets, it shall be done
8 with as little obstruction to public travel as possible, and
9 shall, without unnecessary delay, cause the earth to be re-
10 placed in as good condition as possible, all digging in said
11 streets as above set forth to be under the supervision of the
12 selectmen of the town of Paris.

Sect. 5. Whoever shall knowingly or maliciously corrupt
2 the water supply of said Village Corporation, whether frozen
3 or not, or whoever shall wilfully and maliciously destroy
4 any of the property of said Village Corporation shall be
5 punished by a fine not exceeding five hundred dollars or
6 by imprisonment not exceeding two years.

Sect. 6. Said Village Corporation, for the purpose of
2 carrying into full effect the provisions of this act in the
3 establishing, constructing, furnishing, equipping and fully
4 maintaining the water system herein contemplated and for
5 purchasing so much of the property of the Norway Water
6 Company as is hereinafter mentioned in this act, may, at
7 any legal meeting of said Village Corporation, called for
8 that purpose, raise money and issue bonds registered or with

9 interest coupons, in such denomination, and on such terms
10 and rate of interest, as may be determined at such meeting,
11 to an amount necessary for said purpose, which, taken into
12 connection with any other indebtedness of such Village Cor-
13 poration, shall not exceed ten per centum of the last regular
14 valuation thereof. Said bonds shall be signed by the as-
15 sessors and treasurer of said Village Corporation, but the
16 coupons need be signed by the treasurer alone.

Sect. 7. The care and management of said water system
2 and the regulation of prices and charges for water supplied
3 as herein contemplated shall be under the control of the
4 assessors of said Village Corporation; or, if the Village
5 Corporation, at any time, shall so vote, said duties shall be
6 placed in the hands of a commission of three legal voters
7 of said Village Corporation, one to be chosen for one year,
8 one for two years, and one for three years, and after being
9 first so chosen, one shall be annually chosen for a three
10 years term. In case of a vacancy on said board or com-
11 mission, the assessors shall fill the same by appointment until
12 the next annual meeting of said Village Corporation.

Sect. 8. Said South Paris Village Corporation shall be
2 further required to purchase at a fair cash value of the
3 Norway Water Company, after this act shall have been
4 legally accepted, all the pipes laid in the ground, hydrants
5 set, and the entire plant of said Norway Water Company
6 within the limits of said town of Paris; provided said Nor-
7 way Water Company desires to dispose of the same and

8 will deliver the same free of all incumbrances, and shall
9 cease to sell water within said town of Paris.

Sect. 9. In case said Village Corporation fails to agree
2 with said Norway Water Company upon the terms of pur-
3 chase and value of the property above mentioned within
4 three months after this act shall have been accepted by said
5 Village Corporation, as hereinafter provided for, then the
6 value of said property shall be determined by three disin-
7 terested men living outside of the towns of Paris and Nor-
8 way, to be designated by Hon. Albert R. Savage, judge of
9 the supreme judicial court, on application in writing by
10 either party at any time after the said three months have
11 elapsed, and all subsequent proceedings in arriving at the
12 value of said property shall be under the direction of said
13 appraisers, the award of whom, or a majority of whom,
14 made in writing to each party, shall be binding on both par-
15 ties and shall be carried out within sixty days after said
16 award is made. The cost of making this appraisal of prop-
17 erty as herein set forth shall be divided equally between the
18 South Paris Village Corporation and the Norway Water
19 Company. On payment of the amount so fixed by said
20 appraisers to said Norway Water Company by said South
21 Paris Village Corporation, said water company shall deliver
22 to said Village Corporation a good and sufficient conveyance
23 of said property free of all liens, mortgages and incum-
24 brances.

Sect. 10. Said Village Corporation shall not proceed un-
2 der this act until after it shall have been accepted by a
3 majority vote of the voters present at a meeting called for
4 that purpose.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, Feb. 26, 1909.

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

E. M. THOMPSON, *Clerk.*