

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 602

STATE OF MAINE.

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

AN ACT to ratify, confirm and make valid the organization of
the Mexico Water Company and authorize it to issue bonds
and extend its plant.

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

Section 1. The organization of the Mexico Water Com-
pany, a corporation duly organized and existing under the
laws of the State of Maine, is hereby ratified, confirmed and
declared to be legal and valid.

Sect. 2. The purposes of said corporation are to supply the
inhabitants of Mexico with pure water for domestic, sanitary
and municipal use, including the extinguishment of fires.

Sect. 3. Said corporation, for the purposes of its incorporation, is hereby authorized to take, collect, store, divert, use and distribute the water from any brook, stream, lake or pond tributary to Swift River, in the town of Mexico.

Sect. 4. Said corporation is hereby authorized to lay down, in and through the streets and ways in said town of Mexico, and to take up, replace and repair, all such pipes, aqueducts, conduits, hydrants and fixtures as may be necessary for the purposes of its organization: to carry and lay any conduit, aqueduct and pipes under any water course, public or private way, or railroad or electric railroad, in said town, in the manner prescribed by law, and to cross any sewer or drain, or, if necessary, to change its direction in such manner as not to obstruct the use thereof; and to take up any such roads and ways for the purpose of laying down pipes, conduits or aqueducts beneath the surface thereof, for placing manholes, hydrants or other fixtures, or for maintaining and replacing the same under such reasonable restrictions as may be imposed by the selectmen of said town. And such corporation shall be responsible for all damages to persons and property occasioned by the use of said streets and highways: and shall further be liable to pay to said town all sums recovered against said town for damages for obstructions caused by said corporation.

Sect. 5. Said corporation is hereby authorized to take and hold, by purchase or otherwise, any lands or other real

3 estate within the town of Mexico necessary for any of the
4 purpose of its incorporation; and also for the protection of
5 the water shed or any sources of supply of water which
6 it may have, take or acquire under the authority of this char-
7 ter. Said corporation shall not, under the provisions of this
8 charter, take any real estate now owned by the town of
9 Mexico, nor any water system, aqueduct or extension of the
10 same now owned by any citizen of the town of Mexico, ex-
11 cept by purchase. It may enter upon such lands, make sur-
12 veys and locations, and shall file in the registry of deed for
13 the County of Oxford plans of such locations and lands,
14 showing the property taken, and within thirty days thereaf-
15 ter publish notice of such filing in some newspaper in said
16 county, such publication to be continued three weeks suc-
17 cessively. And with such plans said corporation may file a
18 statement of the damages it is willing to pay for any prop-
19 erty so taken, and if the amount finally awarded does not ex-
20 ceed that sum, the corporation shall recover costs against
21 such parties; otherwise such parties shall recover costs
22 against said corporation.

Sect. 6. Should the said corporation and the owner of
2 any land required for the said purposes of said corporation,
3 be unable to agree upon the damages to be paid for such
4 location, taking, holding, and construction, the land owner
5 may, within twelve months after the said filing of plans or
6 location, apply to the commissioners of said County of Ox-

7 ford, and cause such damages to be assessed in the same man-
8 ner and under the same conditions, as are prescribed by law
9 in the case of damages by the laying out of railroads. If the
10 said corporation shall fail to pay said landowner, or deposit
11 for his use with the clerk of the county commissioners afore-
12 said, such sums as may be finally awarded as damages, with
13 cost when recovered by him, within ninety days after notice
14 of final judgment shall have been received by the clerk of
15 courts of said county, the said location shall be thereby in-
16 valid and the said corporation shall forfeit all rights under
17 the same, as against the owner of the land. The said cor-
18 poration may begin to occupy such land for its corporate
19 purposes before rendition of final judgment, and in such case
20 the landowner may require the said corporation to file its
21 bond to him with the said county commissioners in such sum
22 and with such sureties as they may approve, conditioned
23 for the payment of the damages that may be awarded. No
24 action shall be brought against the said corporation for such
25 taking, holding and occupation, until after such failure to pay
26 or deposit as aforesaid. Failure to apply for damages
27 within the said twelve months shall be held to be a waiver of
28 the same.

Sect. 7. Said corporation is hereby authorized to make
2 contracts with other corporations, individuals, the town of
3 Mexico and any village corporation in the town of Mexico,
4 for the purpose of supplying water as contemplated by the

5 purposes of this organization. And said town of Mexico,
6 by its selectmen, and any village corporation by its assessors,
7 is hereby authorized to enter into contracts with said corpora-
8 tion, for the supply of water for public uses, on such terms
9 and for such time as the parties may agree, which, when
10 made, shall be legally binding upon all the parties thereto.

Sect. 8. Said corporation is hereby authorized to issue its
2 bonds, secured by mortgage on its property and franchises,
3 or any part thereof, from time to time and in such amounts as
4 it may determine necessary. Provided the aggregate of such
5 issues shall not exceed the amount of capital stock issued.
6 And the said corporation may take and hold stock in other
7 corporations and may dispose of the same in any lawful man-
8 ner.

Sect. 9. At any time after ten years from the time when
2 this act shall take effect the town of Mexico or any water dis-
3 trict within or including the town of Mexico if the inhabitants
4 thereof shall so vote at any general election or at any election
5 especially called for that purpose, shall have the right to pur-
6 chase the system of water works constructed by the Mexico
7 Water Company, together with its franchises, rights, powers
8 and privileges, at a price to be agreed upon between said
9 company and said town or water district; and if such price
10 cannot be agreed upon then at a price to be determined by a
11 commission of three competent and disinterested men who
12 shall be appointed by any justice of the supreme judicial

13 court on petition therefor by the selectmen of said town or the
14 officers of said water district. The award of said commis-
15 sioners shall be binding upon the town or water district and
16 said Mexico Water Company, and said town or water dis-
17 trict shall pay the amount of such award for said system of
18 water works and franchises within six months from the date
19 when such award shall be rendered. The cost of said com-
20 mission shall be borne equally by said company and said
21 town or water district.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 12, 1909.

Reported by Mr. MONTGOMERY from Committee on Ju-
diciary and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*