

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 750

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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 Shawmut Water Company.

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

Section 1. Augustus S. Burk, J. W. Brunkley, E. A.  
2 Emery and W. McGee, their associates, successors and as-  
3 signs, are hereby made a corporation by the name of the  
4 Shawmut Water Company, for the purpose of supplying the  
5 village of Shawmut in the town of Fairfield and the county  
6 of Somerset, and the inhabitants of said village, with pure  
7 water, for domestic, sanitary and municipal purposes, in-  
8 cluding the extinguishment of fires, with all the rights and  
9 privileges and subject to all the liabilities and obligations of  
10 similar corporations under the laws of this State.

Sect. 2. Said company for said purposes, may retain, col-

2 lect, take, store, use and distribute water from any springs  
3 or wells, that it may acquire by purchase of the owner there-  
4 of, streams, or other watersources in said Shawmut, and  
5 may locate, construct and maintain cribs, reservoirs, dams,  
6 standpipes, gates, hydrants, pipes and all other necessary  
7 structures to conduct and distribute the same through said  
8 town of Shawmut in the usual manner.

Sect. 3. The place of business of said corporations shall be  
2 at Shawmut, in the county of Somerset and State of Maine,  
3 and its business shall be confined to the village of Shawmut  
4 in said county, which village shall include the territory on the  
5 west side of the Kennebec River within a radius of one and  
6 one-half miles from the passenger station of the Maine Cen-  
7 tral Railroad Co., at said Shawmut village.

Sect. 4. Said corporation is hereby authorized for the  
2 purposes aforesaid, to lay, construct and maintain in, under,  
3 through, along and across the highways, streets, railroads  
4 and bridges in said town, and to take up, replace and repair  
5 all such sluices, aqueducts, pipes, hydrants and structures  
6 as may be necessary for the purposes of its incorporation, so  
7 as not to unreasonably obstruct the same, under such rea-  
8 sonable restrictions, and conditions as the selectmen of said  
9 town may impose. It shall be responsible for all damage  
10 to persons and property occasioned by the use of such high-  
11 ways, ways and streets, and shall further be liable to pay to  
12 said town all sums recovered against said town for damages  
13 for obstruction caused by said company, and for all expenses

14 including reasonable counsel fees incurred in defending such  
15 suits with interest on the same, provided said company shall  
16 have notice of such suits and opportunity to defend same.

Sect. 5. Said company shall have power to cross any water  
2 course, private and public sewer, or to change the direction  
3 thereof, when necessary for the purposes of its incorporation,  
4 but in such manner as not to obstruct or impair the use there-  
5 of, and it shall be liable for any injury caused thereby.  
6 Whenever said company shall lay down fixtures in any high-  
7 way, way or street, or make any alterations or repairs, upon  
8 its works in any highway, way or street, it shall cause the  
9 same to be done with as little obstruction to public travel as  
10 may be practicable, and shall, at its own expense, without un-  
11 necessary delay, cause the earth and pavements there re-  
12 moved by it, to be replaced in proper condition.

Sect. 6. Said corporation shall be held liable to pay all  
2 damages that shall be sustained by any person by the taking  
3 of any land or other property, or by flowage, or by excavat-  
4 ing through any land for the purposes of laying down pipes  
5 and aqueducts, building dams, reservoirs, and also damages  
6 for any other injuries resulting from said acts; and if any  
7 person sustaining damage as aforesaid, and said corporation  
8 cannot mutually agree upon the sum to be paid therefor,  
9 either party on petition to the county commissioners of  
10 Somerset County, may have the damages assessed by them;  
11 and subsequent proceedings and rights of appeal thereon,  
12 shall be had in the same manner and under the same condi-

13 tions, restrictions and limitations, as are by law provided in  
14 case of land taken for railroads.

Sect. 7. Said corporation may hold real and personal es-  
2 tate necessary and convenient for all its said purposes to  
3 the amount of fifty thousand dollars.

Sect. 8. Said corporation may issue its bonds for the con-  
2 struction of its work, upon such rates and terms as it may  
3 deem expedient, not exceeding fifty thousand dollars, and  
4 secure the same by mortgage of the franchise and property  
5 of said company.

Sect. 9. The capital stock of said corporation shall be fifty  
2 thousand dollars, said stock to be divided into shares of ten  
3 dollars each.

Sect. 10. The first meeting of this corporation may be  
2 called by written notice, signed by any one of the incorpora-  
3 tors and served upon each of the other incorporators, at least  
4 seven days before the day of said meeting.

Sect. 11. Said corporation is hereby authorized to make  
2 contracts with said town of Fairfield, and with other cor-  
3 porations and individuals, for the purpose of supplying wa-  
4 ter, for municipal and other purposes within the limits of  
5 Shawmut village: and said town by its selectmen, is hereby  
6 authorized to enter into contract with said company for the  
7 supply of water, with such exemption from public burden as  
8 said town and said company may agree upon, which, when  
9 made, shall be legal and binding upon all parties thereto.

Sect. 12. Said town of Fairfield or any water district

2 within its limits at any time after the expiration of ten years  
3 from the opening for use and service of a system of water  
4 works constructed by said corporation and after a vote in a  
5 legal town meeting to that effect has been passed, shall have  
6 the right to purchase, and by this act said corporation is re-  
7 quired to sell to said town or said water district said sys-  
8 tem of water works including everything appertaining there-  
9 to, and if said town or said water district and said corpora-  
10 tion cannot agree upon the terms and price then such terms  
11 and price shall be determined and fixed by the chief justice  
12 of the supreme court of the State of Maine, after due hear-  
13 ing of the parties interested, and from the decision of said  
14 chief justice there shall be no appeal.







STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 22, 1909.

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

E. M. THOMPSON, *Clerk.*