

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 432

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*House of Representatives, March 3, 1911.*

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

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT to incorporate the Norridgewock Water Company.

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

Section 1. Justin D. Ames, F. L. Ames and Ernest Gil-  
2 man, all of Norridgewock in the county of Somerset, with  
3 their successors and associates, are hereby made a body  
4 corporate by the name of the Norridgewock Water Com-  
5 pany, for the purpose of conveying to, and supplying the  
6 inhabitants of the said town of Norridgewock with water  
7 for domestic, sanitary, municipal and commercial purposes,  
8 with all the rights and privileges, and subject to the liabili-  
9 ties and obligations of similar corporations under the gen-  
10 eral laws of this state.

Sect. 2. Said corporation may take and hold by purchase

2 or otherwise, real and personal estate necessary and con-  
3 venient for the purposes aforesaid not exceeding one hun-  
4 dred thousand dollars.

Sect. 3. For any of the purposes aforesaid, or for the  
2 preservation and purity of said water, said corporation is  
3 hereby authorized to take and use water, from Ames  
4 springs, so called, in the town of Norridgewock, or from  
5 Sawyers or Sucker brook, so called, also in the town of  
6 Norridgewock, or from the Kennebec river at that place, to  
7 conduct and distribute the same into and through the town  
8 of said Norridgewock, to survey for, locate, lay, erect and  
9 maintain suitable dams, reservoirs, machinery, pipes, aque-  
10 ducts and fixtures; to carry its pipes or aqueducts over or  
11 under any water course, bridge, street, railroad, highway or  
12 other way; and said corporation is further authorized to  
13 enter upon and excavate any highway or other way in such  
14 a manner as to least obstruct the same.

To enter, pass over and excavate any lands, and in gen-  
16 eral to do any act necessary, convenient or proper, for carry-  
17 ing out any of the purposes hereinbefore specified. And said  
18 corporation may establish written regulations for the use of  
19 said water, and change the same from time to time.

Sect. 4. Said corporation shall file in the registry of deeds  
2 in the county of Somerset, plans of the location of all lands  
3 and water rights taken under the provision of this act, and  
4 no entry shall be made upon any lands except to make sur-  
5 veys, until the expiration of ten days from said filing; and

6 with such plan the corporation may file a statement of the  
7 damages it is willing to pay to any person for any property  
8 thus taken, and if the amount finally awarded does not ex-  
9 ceed that sum, the corporation shall recover costs against  
10 said person, otherwise such person shall recover costs against  
11 the corporation.

Sect. 5. Said corporation shall be held to pay all damages  
2 that shall be sustained by any person or persons, to them-  
3 selves or their property, occasioned by the use of said streets  
4 and ways, and shall pay to said town all sums recovered  
5 against said town of Norridgewock, from obstructions occa-  
6 sioned by said corporation, and for all expenses including  
7 reasonable counsel fees, incurred in defending such suits,  
8 with interest on the same, but said corporation may assume  
9 the defense of suits brought to recover damages as afore-  
10 said; and also for damages sustained by any person or  
11 persons by the taking of any lands, water, rights of way,  
12 or other property, or by excavating through any land for the  
13 purpose of surveying, locating, laying or building dams,  
14 reservoirs, pipes and aqueducts, and for any other injuries  
15 resulting from said acts; and if any person sustaining dam-  
16 age as aforesaid shall not agree with said corporation upon  
17 the sum to be paid therefor, either party, upon petition to  
18 the county commissioners of Somerset county, within twelve  
19 months after said plans are filed, may have said damages  
20 assessed by them, and subsequent proceedings, and rights  
21 of appeal thereon, shall be had in the same manner and

22 under the same conditions, restrictions and limitations as  
23 are by law prescribed in the case of damages by the laying  
24 out of highways. Failure to apply for damages within said  
25 twelve months shall be held to be a waiver of the same.

Sect. 6. Said corporation is hereby authorized to lay down  
2 and maintain in and through the streets and ways of the  
3 town aforesaid, all said pipes, aqueducts and fixtures as  
4 may be necessary for the purposes hereinbefore specified.

Said town of Norridgewock is hereby authorized to con-  
6 tract with the said corporation for a supply of water for fire  
7 or for other purposes for a term of years, and at the expira-  
8 tion of such contract to renew or change the same.

Sect. 7. Said corporation shall not by this charter acquire  
2 any rights to, or interfere in any way with the existing  
3 rights of those persons who are now supplying water from  
4 springs to the inhabitants of Norridgewock, or with the  
5 rights of such person or persons as may desire to take spring  
6 water for their own use and furnish it to such other person  
7 or persons as may wish for said spring water.

Sect. 8. Said town of Norridgewock, or any quasi-public  
2 service corporation, chartered as a water district in said  
3 Norridgewock, in said county of Somerset, at any time after  
4 the expiration of ten years from the passage of this act  
5 and after a vote in legal town meeting to that effect, or a  
6 vote passed at a meeting of said water district, shall have  
7 the right to purchase, and by this act said corporation is  
8 required to sell to said town or said water district, said sys-

9 tem of water works, including everything herewith, to-  
10 gether with the franchise of said corporation, at a price to  
11 be agreed upon between said company and said town, or  
12 said water district, and if said price cannot be agreed upon,  
13 then at a price that shall be determined by a commission of  
14 three competent and disinterested men to be appointed by  
15 the chief justice of the supreme judicial court of Maine.  
16 In determination of said price said commission shall allow  
17 for said franchise a sum not to exceed three hundred dol-  
18 lars. The award of said commission shall be binding upon  
19 said company and said town, or water district, and said town  
20 or water district shall pay the amount of said award for  
21 said system of water works and franchise within ninety days  
22 from the date when such award shall be rendered. The cost  
23 of said commission shall be borne equally by said company  
24 and said town or water district.

Sect. 9. The capital stock of said corporation shall not  
2 exceed one hundred thousand dollars.

Sect. 10. The first meeting of said corporation may be  
2 called by written notice thereof, signed by any two corpo-  
3 rators named herein, served upon each corporator by giving  
4 him the same in hand, or by leaving the same at his last or  
5 usual place of abode, seven days at least before the time of  
6 meeting.

Sect. 11. Said corporation is hereby authorized to issue  
2 bonds, not to exceed in amount one-half of its capital stock,  
3 the same to be a first lien upon its franchise and property.