

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-FIFTH LEGISLATURE

---

---

HOUSE

NO. 442

---

---

*House of Representatives, Mar. 7, 1911.*

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

*C. C. HARVEY, Clerk.*

---

---

STATE OF MAINE

---

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

---

AN ACT to incorporate the Monson Water Company.

---

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

Section 1. Albert W. Chapin, Henry Hudson, John F.  
2 Sprague, with their associates and successors, are hereby  
3 made a corporation under the name of the Monson Water  
4 Company, for the purpose of supplying the inhabitants of  
5 the town of Monson with suitable water for the industrial,  
6 manufacturing, domestic, sanitary and municipal purposes,  
7 including the extinguishing of fires, and the making of con-  
8 tracts with the said town of Monson for any such purposes;  
9 with all the rights and privileges and subject to all the lia-  
10 bilities and obligations of similar corporations under the  
11 laws of this state.

Sect. 2. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from the two Doughty Ponds, so-called, in said town of Monson, and from any spring, pond, brook or other waters in said town of Monson, except the Spectacle Ponds; to conduct and distribute the same into and through such parts of said town of Monson as may be necessary; and to survey for, locate, construct and maintain, suitable and convenient dams, reservoirs, buildings, machinery, lines of pipe, stand-pipe, aqueducts, structures and appurtenances.

Sect. 3. The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads and bridges in the said town of Monson, and to take up, replace and repair, all such aqueducts, pipes, hydrants and other structures and fixtures as may be necessary and convenient for the said purposes of said corporation; and the said corporation shall be responsible for all damages to said town and to all corporations, persons, and property, occasioned by such use of the said highways, ways and streets. Whenever the said corporation shall lay down or construct any fixtures in any highway, way or street, or make any alterations or repairs upon works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavement then removed by it, to be replaced in proper condition.

Sect. 4. The said corporation is hereby authorized to take  
2 and hold, by purchase or otherwise, any lands necessary for  
3 flowage, and also for its dams, reservoirs, gates, hydrants,  
4 buildings and other necessary structures, and may locate,  
5 erect, lay and maintain aqueducts, lines of pipe, hydrants and  
6 other necessary structures or fixtures in, over and through  
7 any land for the said purposes, and excavate in and through  
8 such land for such location, construction and erection. And  
9 in general to do any acts necessary, convenient or proper,  
10 for carrying out any of the said purposes of incorporation.  
11 It may enter upon such lands to make surveys and locations,  
12 and shall file in the registry of deeds for the county of Pis-  
13 cataquis, plans of such locations and lands, showing the  
14 property taken, and within thirty days thereafter publish  
15 notice of such filing in some newspaper in said county, such  
16 publication to be continued three weeks successively. Not  
17 more than two rods in width of land shall be occupied by  
18 any one line of pipe or aqueduct.

Sect. 5. Should the said corporation and the owner of any  
2 land required for the said purposes of incorporation be un-  
3 able to agree upon the damages to be paid for such location,  
4 taking, holding and construction, the land owner may, within  
5 twelve months after the said filing of plans of location, apply  
6 to the commissioners of said county of Piscataquis, and  
7 cause such damages to be assessed in the same manner and  
8 the same conditions, as are prescribed by law in the case of  
9 damages by the laying out of railroads.

If the said corporation shall fail to pay such land owner, 11 or deposit for his use with the clerk of the county commis- 12 sioners aforesaid, such sums as may be finally awarded as 13 damages, with costs when recovered by him, within ninety 14 days after notice of final judgment shall have been received 15 by the clerk of courts of the said county, the said location 16 shall be thereby invalid and the said corporation shall forfeit 17 all rights under the same, as against the owner of the land. 18 The said corporation may make a tender to any land owner 19 damaged under the provisions of this act, and if such land 20 owner recovers more damages than was tendered him by 21 the said corporation he shall recover cost, otherwise the said 22 corporation shall recover cost. In case the said corpora- 23 tion shall begin to occupy such land before the rendition of 24 final judgment, the land owner may require the said corpo- 25 ration to file its bond to him with the said county commis- 26 sioners, in such sum and with such sureties as they may ap- 27 prove, conditioned for the payment of the damages that may 28 be awarded. No action shall be brought against the said 29 corporation for such taking, holding and occupation, until 30 after such failure to pay or deposit as aforesaid. Failure to 31 apply for damages within the said twelve months, shall be 32 held to be a waiver of the same.

Sect. 6. The capital stock of the said corporation shall not 2 exceed fifty thousand dollars, and the stock shall be divided 3 into shares of one hundred dollars each.

Sect. 7. The said corporation for all its purposes may hold

2 real and personal estate necessary and convenient therefor  
3 to the amount of fifty thousand dollars.

Sect. 8. The said corporation may issue its bonds for the  
2 construction of its works, of any and all kinds, upon such  
3 rates and time as it may deem expedient not to exceed its  
4 capital stock, and secure the same by mortgage of its fran-  
5 chise and property.

Sect. 9. The first meeting of said corporation shall be  
2 called by a written notice thereof, signed by any two of the  
3 named incorporators, served upon each named incorporator  
4 by giving him the same in hand, or by leaving the same at his  
5 last and usual place of abode, at least seven days before the  
6 time of meeting, or by publishing said notice in some news-  
7 paper published in Piscataquis County.

Sect. 10. Said town of Monson or any water district in-  
2 cluding said town or portion thereof at any time after the  
3 expiration of five years from the opening for use and ser-  
4 vice of a system of water works constructed by said corpo-  
5 ration and after a vote in a legal town meeting to that effect  
6 has been passed, shall have the right to purchase, and by this  
7 act said corporation is required to sell to said town 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.