
SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 183

In Senate, March 8, 1911.

*Reported by Mr. Kellogg from Committee on Interior Waters
and ordered printed under joint rules.*

W. C. HANSON, Secretary.

STATE OF MAINE

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

AN ACT to incorporate the Northern Penobscot Water
Company.

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

Section 1. Elmer J. Farnham, B. W. Howe, Charles A.
2 Byram, Charles H. Quincy, Aaron Smith, William J. Curren,
3 W. Scott Kellogg, their associates, successors and assigns are
4 hereby made a corporation by the name of the Northern
5 Penobscot Water Company, with all the powers, rights and
6 privileges and subject to all the duties and obligations con-
7 ferred and imposed on corporations by law, except as pro-
8 vided herein.

Sect. 2. The purposes of said incorporation are to furnish
2 water for the extinguishment of fires and for municipal,

3 domestic, sanitary and industrial purposes in the village of
4 Patten in the county of Penobscot.

Sect. 3. The said corporation is hereby authorized for the
2 purposes aforesaid to take, collect, store, retain, use and dis-
3 tribute water from any springs, ponds, streams or other
4 water sources in said town of Patten or town of Mt. Chase
5 in said Penobscot county, except springs now in use for
6 supplying water for domestic purposes, owned by the Patten
7 Water Company; to erect and maintain cribs, dams, reser-
8 voirs, standpipes, gates, pipes, aqueducts, and other struct-
9 ures necessary or convenient for the proper accumulating,
10 conducting, discharging, distributing and disposing of water
11 and forming proper and sufficient reservoirs thereof; to ex-
12 cavate, lay down, replace, repair and maintain its pipes and
13 aqueducts through any lands and to take and hold by pur-
14 chase or otherwise any lands, real estate or rights necessary
15 for the purposes of this incorporation; to lay its pipes and
16 aqueducts and construct and maintain the same with all the
17 necessary fixtures in, upon, along and under the roads and
18 streets of said town under such reasonable restrictions as
19 may be imposed by the municipal officers thereof in accord-
20 ance with the general laws of the state.

Sect. 4. Said corporation shall be held liable to pay all
2 damages that may be sustained by any person by taking any
3 land or other property, by excavating through any land for
4 the purpose of laying down pipes, building dams or reser-
5 voirs, or the erection of any of its necessary structures, and

6 if any person sustaining damages as aforesaid cannot agree
7 with said corporation upon the sum to be paid therefor, his
8 damages shall be assessed in the same manner and subject
9 to the same conditions, restrictions and limitations as is pro-
10 vided by law in the case of damage by the laying out of
11 highways.

Sect. 5. Said corporation shall have authority to enter
2 upon any land for the purpose of making surveys and loca-
3 tions and shall file in the registry of deeds for the county of
4 Penobscot plans of the lands and other property which shall
5 be taken and when so filed such lands and other property
6 shall be deemed and treated as taken; with said plans, said
7 corporation may file a statement of the damages it is willing
8 to pay for any property so taken, and if the amount finally
9 awarded does not exceed that sum, the corporation shall
10 recover costs against such parties, otherwise such parties
11 shall recover costs against said corporation.

Sect. 6. Said corporation, at its own expense, without
2 unnecessary delay, shall remove any and all obstructions in
3 any street or way made in excavating and laying its pipes
4 and shall cause earth disturbed to be properly replaced. It
5 shall not be allowed to obstruct or impair the use of any
6 public or private sewer, drain or pipe, but may cross, or
7 when necessary, change the direction of any such sewer,
8 drain or pipe in such a manner as not to obstruct or impair
9 the use thereof, and shall be responsible to the owner or
10 other persons for any injury caused thereby.

Sect. 7. Said corporation is hereby authorized to make
2 contracts with said town and with other corporations and
3 persons for the purpose of supplying water as contemplated
4 by this act, and said town by its selectmen and other cor-
5 porations are hereby authorized to enter into contracts with
6 said company for water and for such exemptions from pub-
7 lic burden as said town and said company may agree upon,
8 which when made shall be legal and binding.

Sect. 8. Said corporation is hereby authorized to acquire
2 and hold by purchase the property, rights, locations, privi-
3 leges and franchises of any person or corporation engaged
4 in furnishing water in said town and upon such purchase
5 and transfer said corporation shall have, hold, possess, exer-
6 cise and enjoy all such property, rights, privileges and fran-
7 chises as it may acquire as aforesaid.

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

Sect. 10. Said corporation may issue its bonds upon such
2 rates and time as it may deem expedient and in such amount
3 as may be required for the object of this incorporation and
4 secure the same by mortgage upon the franchises and prop-
5 erty of said company.

Sect. 11. Said corporation for its said purposes, may hold
2 real and personal property necessary and convenient there-
3 for.

Sect. 12. Any corporation doing business in said town is

2 hereby authorized to purchase the stock, bonds or other se-
3 curities of this corporation.

Sect. 13. If any person shall wantonly or maliciously in-
2 jure any of the structures, reservoirs, pipes, hydrants or
3 other property, or water supply, whether frozen or not, of
4 the said company, he shall, on condition thereof, be punished
5 by a fine not exceeding one thousand dollars, or by impris-
6 onment not exceeding two years, or both, and shall be liable
7 to pay triple damages to said corporation to be recovered by
8 an action before any court of competent jurisdiction.

Sect. 14. The first meeting of said corporation may be
2 called by a written notice thereof, signed by any corporator
3 named therein and served upon each corporator by a copy
4 of the same in hand or left at the last place of abode seven
5 days, at least, before the date of the said meeting.