

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 361

House of Representatives, Feb. 28, 1913.

*Reported by Mr. Rousseau from Committee on Legal Affairs,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to incorporate the Corinna Water Company.

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

Section 1. Belmont A. Smith, Thomas F. Burrill, Albion
2 K. P. Smith, William I. Wood, Horace D. Ridlon, William
3 A. Smith, John H. Winchester, Lamont E. Bemis and John
4 E. Gray, all of Corinna, in the county of Penobscot, with
5 their associates, successors and assigns are hereby made and
6 constituted a body corporate by the name of the Corinna
7 Water Company, for the purpose of conveying to and sup-
8 plying the inhabitants of Corinna, in said county of Penob-
9 scot, or adjoining town or towns, except St. Albans and

10 Palmyra, or any water company in any adjoining town or
11 towns, except St. Albans and Palmyra, that may contract
12 with the said Corinna Water Company, with pure water
13 for all domestic, sanitary, municipal and commercial pur-
14 poses, including the extinguishment of fires, and also for
15 constructing and maintaining a sewerage system in said
16 town of Corinna, with all the rights and privileges, and
17 subject to the liabilities and obligations incident to similar
18 corporations under the laws of this state.

Sect. 2. Said corporation may take and hold by purchase,
2 condemnation proceedings, or otherwise, real and personal
3 estate, necessary and convenient for the purposes aforesaid,
4 not exceeding one hundred 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, retain, collect, store, distribute
4 and use water from any springs, wells or other sources that
5 it may acquire by purchase of the owners thereof, or from
6 any lake, pond, stream, or other sources wholly or partly in
7 said town of Corinna, or from Dexter pond in the town of
8 Dexter, to conduct and distribute the same into and through
9 the said town of Corinna, and into and through any adjoin-
10 ing town or towns, except Saint Albans and Palmyra, or
11 any water system owned and operated by any water com-
12 pany in any adjoining town or towns, with which said Co-
13 rinna Water Company may contract, to survey for, locate,
14 lay, construct and maintain suitable cribs, dams, reservoirs,

15 stand-pipes, machinery, pipes, aqueducts and fixtures, to
16 carry its pipes or aqueducts along, through, over or under
17 any water course, bridge, street, railroad, highway or other
18 way, and also to lay and maintain pipes, conduits, and other
19 equipment for carrying, collecting and disposing of sewer-
20 age, sewerage matter, waste, and waters, in said town, and
21 to enter upon and excavate any way in such manner as
22 least to obstruct the same, to enter upon, pass over, and
23 excavate any lands, and to take and hold by purchase, con-
24 demnation proceedings, or otherwise, any real estate, rights
25 of way, or of water, and in general to do any acts necessary,
26 convenient, or proper for carrying out the purposes herein-
27 before specified, and for the making of all needed repairs
28 or connections, to lay its pipes, through or over any lands,
29 public or private, and through, across, under or along any
30 way, public or private, with the right to enter thereon and
31 dig therein; and said corporation may establish written reg-
32 ulations for the use of said water, or sewerage services, and
33 change the same from time to time.

Sect. 4. Said corporation shall file in the registry of deeds
2 in the county of Penobscot, plans of the location of all land
3 and water rights taken under the provisions of this act; and
4 no entry shall be made upon any land except to make sur-
5 veys until the expiration of ten days from said filing; and
6 with such plan said 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 said 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 or highways, and shall pay to said town of Corinna, or
5 adjoining town, where said damage shall arise, all sums
6 of money recovered against it, from obstruction occasioned
7 by said corporation, and for all expenses including reason-
8 able counsel fees, incurred defending such suits, with in-
9 terest on the same, but said corporation may assume the
10 defense in such suits brought to recover damages as afore-
11 said; and also for all damages sustained by any corporation,
12 person or persons, by the taking of land, water, rights of
13 way, or other property, or by excavating through any land
14 for the purpose of surveying, locating, laying, or building
15 cribs, dams, reservoirs, stand-pipes, pipes, aqueducts or con-
16 duits, and from other injuries resulting from said acts;
17 and if any corporation, person or persons, sustaining dam-
18 age as aforesaid shall not agree with said corporation upon
19 the sum to be paid therefor, either party upon petition to
20 the county commissioners of Penobscot county, within twelve
21 months after said plans are filed, may have said damages
22 assessed by them, and subsequent proceedings and appeal
23 thereon, shall be had in the same manner and under the
24 same conditions, restrictions and limitations as are by law

25 prescribed in the case of damages by the laying out of high-
26 ways.

Failure to apply for damages within said twelve months
28 shall be held to be a waiver of the same.

Said corporation shall have the right to begin to occupy
30 such lands or rights for its corporate purposes before the
31 rendition of final judgment.

Sect. 6. The capital stock of said corporation shall be ten
2 thousand dollars, but may be increased from time to time
3 as the needs of said corporation may require to an amount
4 not exceeding one hundred thousand dollars, and the cap-
5 ital stock of said corporation shall be divided into shares
6 of fifty dollars each.

Sect. 7. The place of business of said corporation shall
2 be at Corinna, in the county of Penobscot, state of Maine.

Sect. 8. Said corporation is hereby authorized to make
2 contracts with any corporations, individuals, the town of
3 Corinna, or any adjoining town, and any village corporation
4 in said town of Corinna, or any adjoining town, and with
5 any fire or water district in said town of Corinna or any
6 adjoining town, and with any water company in any adjoin-
7 ing town, for the purpose of supplying water as contem-
8 plated by the purposes of this act and organization.

Sect. 9. Said corporation is hereby authorized to issue
2 bonds not exceeding in amount three-fourths of its capital
3 stock, the same to be a first lien upon its franchises and
4 property.

Sect. 10. The first meeting of said corporation may be called by written notice thereof, signed by any two corporators named therein, served upon each corporator by giving him in hand, or by leaving the same at his last and usual place of abode, seven days before the time of meeting.

Sect. 11. Said town of Corinna, or any water district including said town or portion thereof, at any time after the expiration of five years from the opening for use and service of a system of water works or a sewerage system constructed by said corporation, including all contracts and rights then existing, and after a vote in a legal town meeting to that effect has been passed, shall have the right to purchase, and by this act said corporation is required to sell to said town or water district said water and sewerage systems, including everything appertaining thereto. Said towns or water district in such purchase is hereby required to assume the payment of all outstanding bonds of said corporation. If said town, or water district, and said corporation cannot agree upon the terms and price, then such terms and price shall be determined and fixed by the chief justice of the supreme court of the state of Maine, after due hearing of the parties interested, and from the decision of said chief justice there shall be no appeal.