

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 505

House of Representatives, March 13, 1913.

*Reported by Mr. Smith of Presque Isle from Committee on
Judiciary, 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 Stockholm Water Company.

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

Section 1. Allen Quimby, N. A. Wessell, M. P. Milliken,
2 Lewis Anderson, John Anderson and Olaf Lind, and such
3 persons as they may associate with themselves in the enter-
4 prise, and their successors, are hereby incorporated into a
5 corporation by the name of the Stockholm Water Company,
6 for the purpose of supplying the town of Stockholm, in the
7 county of Aroostook, and the inhabitants of said town, with
8 pure water for industrial, manufacturing, domestic, sanitary
9 and municipal purposes, including the extinguishment of
10 fires.



Sect. 2. Said company, for said purposes, may detain,
2 collect, take, store, use and distribute water from the Little
3 Madawaska river, or any other water source or sources, in
4 said town of Stockholm.

Sect. 3. Said company is hereby authorized to lay, con-
2 struct, and maintain in, through, along and across the high-
3 ways, ways, streets, bridges in said town, and to take up,
4 replace, and repair all such sluices, aqueducts, pipes, hy-
5 drants and structures as may be necessary for the purposes
6 of their incorporation, under such reasonable restrictions
7 and conditions as the selectmen may impose, and said com-
8 pany shall be responsible for all damages to all corporations,
9 persons and property occasioned by the use of such high-
10 ways, and streets, and shall pay to said town all sums re-
11 covered against said town for damages from obstruction
12 caused by said corporation, and for all expenses, including
13 reasonable counsel fees incurred in defending such suits
14 with interest on the same.

Sect. 4. Said company shall have power to cross any
2 water course, public or private sewer, or to change the
3 direction thereof when necessary for the purpose of their
4 corporation, but in such manner as not to obstruct and im-
5 pair the use thereof, and said company shall be liable for
6 any injury caused thereby. Whenever said company shall
7 lay down any fixtures in any highway, way or street, or
8 make any alteration or repairs upon its works in any high-
9 way, way or street, it shall cause the same to be done with

10 as little obstruction to public travel as may be practicable,
11 and shall, at its own expense, without unnecessary delay,
12 cause the earth and pavements thus removed by it, to be
13 replaced in proper condition.

Sect. 5. Said company is hereby authorized to lay, con-
2 struct and maintain its pipes under the highways, ways and
3 streets in said Stockholm and build and maintain all neces-
4 sary structures thereof, to build dams and reservoirs for
5 storage of water across any river, brook or stream in said
6 Stockholm.

Sect. 6. Said company may take and hold any lands nec-
2 essary for reservoirs, dams, hydrants and other necessary
3 structures, and may locate, lay and maintain pipes, hydrants
4 and other necessary structures and fixtures in, over and
5 through any land for its purposes, also excavate in and
6 through such lands for such locations, construction and
7 maintenance. It may enter upon such lands to make sur-
8 veys and locations and shall file in the office of the county
9 commissioners of Aroostook county and record in the reg-
10 istry of deeds in said county of Aroostook, plans of the
11 location of all lands or interests therein or water rights to
12 be taken with an appropriate description and names of the
13 owners thereof. No entry shall be made on any private
14 lands, except to make surveys, until the expiration of ten
15 days from such filing, whereon possession may be had of
16 all said lands or interests therein or water rights so taken

17 but title thereto shall not vest in said company until pay-
18 ment therefor.

Sect. 7. Should the said company and the owner of such
2 land be unable to agree upon the damages to be paid for
3 such location, taking, holding and construction, either party
4 upon petition to the county commissioners of said county
5 of Aroostook may have said damages assessed by them; the
6 procedure and all subsequent proceedings and right of appeal
7 thereon shall be had under the same conditions, restrictions
8 and limitations, as are by law prescribed in the case of dam-
9 ages by the laying out of highways.

Sect. 8. Said corporation is hereby authorized to make
2 contracts with the United States, and with corporations and
3 inhabitants of said town of Stockholm or any village cor-
4 poration or association in said town, for the purpose of
5 supplying water as contemplated by this act, and said town
6 of Stockholm, or part thereof, is hereby authorized by its
7 selectmen to enter into contract with said company for a
8 supply of water for any and all purposes mentioned in this
9 act, and any village corporation in said town through its
10 assessors is also authorized to contract with said company
11 for water for all public purposes.

Sect. 9. Whoever shall wilfully or maliciously corrupt
2 the water of said company, whether frozen or not, or in
3 any way render such water impure, or whoever shall wil-
4 fully or maliciously injure any of the works of said com-
5 pany, shall be punished by fine not exceeding one thousand

6 dollars, or by imprisonment not exceeding two years, and
7 shall be liable to said company for three times the actual
8 damage, to be recovered in any proper action.

Sect. 10. The capital stock of said corporation shall be
2 ten thousand dollars, which may be increased to fifty thou-
3 sand dollars by a vote of said company, and said stock shall
4 be divided into shares of twenty-five dollars each.

Sect. 11. Said company for all its said purposes may hold
2 real and personal estate necessary and convenient therefor.

Sect. 12. Said company may issue its bonds for the con-
2 struction of its works of any and all kinds upon such rates
3 and time as it may deem expedient, not exceeding the amount
4 of its stock actually issued and paid for, and secure the
5 same by mortgage of the franchise and property of said
6 company.

Sect. 13. The first meeting of said company may be called
2 by a written notice thereof, signed by any one corporator
3 herein named, served upon each corporator by giving him
4 the same in hand or by leaving the same at his last and usual
5 place of abode, seven days before the time of said meeting.

Sect. 14. Said town of Stockholm, or any quasi public
2 service corporation, chartered as a water district in said
3 town of Stockholm, or any part of said town of Stockholm,
4 in said county of Aroostook, at any time after the expira-
5 tion of five years from the opening for use and service of
6 a system of water works constructed by said corporation,
7 and after a vote in a legal town meeting to that effect, or

8 a vote passed at a meeting of said water district, shall have
9 the right to purchase, and by this act said corporation is
10 required to sell to said town or to said water district, said
11 system of water works including everything therewith, to-
12 gether with the franchise of said corporation, at a price to
13 be agreed upon between said company and said town, or
14 said water district, and if said price cannot be agreed upon,
15 then at a price which shall be determined by a commission
16 of three competent and disinterested men to be appointed
17 by the chief justice of the supreme judicial court of Maine.

The award of said commission shall be binding upon said
19 company and said town or water district, and said town or
20 water district shall pay the amount of said award for said
21 system of water works and franchise within ninety days
22 from the date when such award shall be rendered. The
23 costs of said commission shall be borne equally by said com-
24 pany and said town or water district.