

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 423

In Senate, March 3, 1913.

Reported by Senator Bailey from Committee on Legal Affairs, and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to incorporate the Jackman Water, Light and Power
Company.

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

Section 1. Joseph Forest, G. A. Forest, Alexis Daigneault,
2 their associates, successors and assigns are hereby made a
3 corporation under the name of the Jackman Water, Light
4 and Power Company, with all the powers, rights and privi-
5 leges and subject to all the duties and obligations conferred
6 and imposed on corporations by law, except as provided
7 herein.

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

3 domestic, sanitary, manufacturing and industrial purposes,
4 and to make, neperate, sell, lease, supply and distribute elec-
5 tricity for lighting, heating, mechanical, manufacturing and
6 industrial purposes in the plantations of Moose River and
7 Dennistown.

Sect. 3. The said corporation is hereby authorized for the
2 purposes aforesaid to retain, collect, take, store, use and
3 distribute water from any ponds, springs, streams or other
4 water courses in said plantations of Jackman, Moose River
5 and Dennistown that it may acquire by purchase from the
6 owners thereof; to erect and maintain cribs, reservoirs,
7 dams, stand-pipes, gates, pipes, aqueducts and other struct-
8 ures necessary for the proper accumulating, conducting, dis-
9 charging, distributing and disposing of water and forming
10 proper reservoirs thereof, and to take and hold by purchase
11 or otherwise any lands or real estate necessary thereof; to
12 excavate, lay down, replace, repair and maintain its pipes
13 and aqueducts and erect its poles and extend its wires
14 through any lands necessary for the purposes aforesaid;
15 to erect its poles, extend its wires, lay its pipes and aque-
16 ducts, and construct and maintain the same in, upon, along,
17 across, over and under the roads and streets in said Jack-
18 man, Moose River and Dennistown, under such reasonable
19 restrictions as may be imposed by the municipal officers of
20 said plantations, subject to the general laws of the state
21 regulating the erection of poles and wires and the laying
22 of pipes. In case of failure to agree with any railroad

23 company as to place, manner and condition of crossing its
24 railroad with such pipes, aqueducts or wires, the place, man-
25 ner and conditions of such crossing shall be determined by
26 the railroad commissioners, and all work within the limits
27 of the railroad location shall be done under the supervision
28 and to the satisfaction of the officers and agents of the rail-
29 road company, but at the expense of said water, light and
30 power company.

Sect. 4. Said corporation shall be held liable to pay all
2 damages that may be sustained by any person by the taking
3 of land or other property, by excavating through any land
4 for the purpose of laying down pipes and aqueducts, build-
5 ing dams, reservoirs, by flowage, the erection of poles and
6 wires or other structures, and if any person, sustaining
7 damages as aforesaid, cannot agree with said corporation
8 upon the sum to be paid therefor, either party may cause
9 such damages to be assessed in the same manner and sub-
10 ject to the same conditions, restrictions and limitations as
11 is provided by law in the case of damages by the laying
12 out of highways.

Sect. 5. Said corporation shall have authority to enter
2 upon any land for the purpose of making surveys and lo-
3 cations, and shall file in the registry fo deeds for the county
4 in which said land is situated plans for the location of land
5 and other property taken, and when so filed such property
6 shall be deemed and treated as taken; with said plans, said
7 corporation may file a statement of the damages it is will-

8 ing to pay for any property so taken, and if the amount
9 finally awarded does not exceed that sum, the corporation
10 shall recover costs against such parties; otherwise such par-
11 ties 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 erecting its poles, wires and other structures, and shall
5 cause earth disturbed to be properly replaced. It shall not
6 be allowed to obstruct or impair the use of any public or
7 private sewer, drain, pipe, telephone, telegraph, or railroad
8 wire, but may cross or when necessary, change the direc-
9 tion of any sewer, drain, pipe or wire in such manner as
10 not to obstruct or impair the use thereof, and shall be re-
11 sponsible to the owner or other persons for any injury occa-
12 sioned thereby.

Sect. 7. Said corporation is hereby authorized to make
2 contracts with said plantations of Jackman, Moose River
3 and Dennistown and with other corporations and persons
4 for the purpose of supplying water, light, heat and power
5 contemplated in this act, and said plantations by their offi-
6 cers, and other corporations are hereby authorized to enter
7 into contracts with said company for water, light, heat or
8 power, and for such exemption from public burden as such
9 plantation and corporations and said company agree upon,
10 which, when made, shall be legal and binding upon all par-
11 ties thereto.

Sect. 8. The capital stock of said company shall be fifty
2 thousand dollars which may be increased to any sum not
3 exceeding one hundred thousand dollars by a majority vote
4 of the stockholders of said company; and the stock shall be
5 divided into shares of one hundred dollars each.

Sect. 9. The said corporation for all its purposes, may
2 hold real and personal estate necessary and convenient there-
3 for to the amount of fifty thousand dollars.

Sect. 10. Said corporation may issue its bonds upon such
2 rates and time as it may deem expedient and in such an
3 amount as may be required for the objects of this incor-
4 poration and for the purposes authorized by this act and
5 secure the same by mortgage upon the franchises and prop-
6 erty of said corporation.

Sect. 11. The principal office of said corporation shall be
2 located in the plantation of Jackman in the county of Som-
3 erset, state of Maine, and said corporation may establish
4 offices and places of business in the plantations of Moose
5 River and Dennistown.

Sect. 12. If any person shall wantonly, or maliciously in-
2 jure any of the structures, reservoirs, hydrants, pipes, or
3 other property, or water supply, whether frozen or not, of
4 said corporation, he shall, on conviction thereof, be pun-
5 ished by a fine not exceeding one thousand dollars, or by
6 imprisonment not exceeding two years, or both, and shall
7 be liable to pay triple damages, to said corporation, to be

8 recovered in an action before any court of competent juris-
9 diction.

Sect. 13. The first meeting of said corporation may be
2 called by written notice thereof, signed by the first incor-
4 porator herein named, and served upon each corporator by a
5 copy of the same in hand or mailed, postage prepaid, at least
6 five days prior to the day named therein for such meeting