

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 46

House of Representatives, Jan. 30, 1917.

Referred to Committee on Legal Affairs, five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Tuttle of Caribou.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to authorize the town of Caribou to acquire property of the Caribou Water, Light and Power Company, and to construct and maintain for itself and for persons and corporations a system of water works within said town.

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

Section 1. The town of Caribou, in the county of Aroostook, is hereby authorized and empowered to purchase, and the Caribou Water, Light and Power Company is hereby authorized to sell and convey to said town of Caribou, all the property of said company, or any part thereof, connected with its system of water, light and power in said town of

7 Caribou, together with all of the rights and privileges con-
8 nected therewith, subject, however, to any mortgage thereon,
9 given to secure the payment of bonds not due at the time of
10 such sale and conveyance. Said town of Caribou by its
11 municipal officers, when duly authorized by a vote of the
12 inhabitants of said town, and said company are hereby
13 authorized and empowered to enter into a mutual written
14 agreement for the purchase and sale of said property upon
15 such terms as may be agreed upon by said town and said
16 company.

Sect. 2. After said town has acquired by purchase the
2 property named in the foregoing section, said town of
3 Caribou is hereby authorized and empowered to construct,
4 maintain and operate a system of water works of sufficient
5 capacity to supply to said town, to its inhabitants, to corpor-
6 ations located in said town, to public buildings now erected
7 or which may be hereafter erected in said town, pure water
8 for municipal, domestic and other lawful purposes, includ-
9 ing the extinguishment of fires, with all the rights and privi-
10 leges and subject to all the liabilities and obligations con-
11 ferred and incumbent upon water companies by the general
12 laws of the state.

Sect. 3. Said town is hereby authorized and empowered to
2 acquire by purchase, or by exercise of the right of eminent
3 domain, which right is hereby expressly delegated to said
4 town for said purpose, any real or personal estate other than

5 that acquired from said company necessary and convenient
6 for the purposes aforesaid.

Sect. 4. For the purposes aforesaid, said town is hereby
2 authorized to take, detain and use the waters of any river,
3 ponds, streams or springs in said town of Caribou, to conduct
4 and distribute the same into and through said town, and is
5 also authorized to dig, drive, drill and maintain wells and to
6 conduct and distribute the water from the same into and
7 through said town, to survey for, locate, lay, erect and main-
8 tain suitable dams, reservoirs, machinery, pipes, aqueducts,
9 and fixtures; to carry its pipes or aqueducts under or over
10 any water course, bridge, street, highway or other way; and
11 said town is further authorized to enter upon and excavate
12 any highway or other way in such manner as least to obstruct
13 the same, to enter, pass over and excavate any land and to
14 take and to acquire, by purchase or by the exercise of the
15 right of eminent domain, any rights of way or of water, and
16 in general to do any acts necessary, convenient or proper for
17 carrying out any of the purposes hereinbefore specified.
18 And said town is further authorized, for the purpose of
19 making all needed repairs, or service connections, to lay its
20 pipes through any public or private lands and ways, with the
21 rights to enter upon the same and dig therein. Said town is
22 also hereby authorized to lay, construct and maintain its
23 pipes across the location of any railroad, and all work within
24 the limits of the railroad locations shall be done under the

25 supervision and to the reasonable satisfaction of the chief
26 engineer of the railroad company.

Sect. 5. Said town shall be held liable to pay all damages
2 that shall be sustained by any person or by the taking of any
3 land or other property, or by flowing or by excavating
4 through the same, the same to be taken and the damages
5 assessed therefor in the manner provided by law.

Sect. 6. Said town is hereby authorized to lay down and
2 maintain in and through the streets and ways of said town,
3 all such pipes, aqueducts and fixtures as may be necessary
4 for the purposes hereinbefore specified.

Sect. 7. Said town is hereby authorized to contract with
2 the United States, the State of Maine, and all persons and
3 corporations to supply the same with water for all purposes
4 upon such terms and conditions as may be mutually agreed
5 upon, and to establish written regulations for the use of said
6 water.

Sect. 8. Said town shall have full power to erect poles and
2 extend wires, for maintaining present electric lines or their
3 extension when necessary, becoming liable whenever there
4 is damage to private property.

Sect. 9. For the purpose of raising the money to carry
2 out the provisions of this act, the town of Caribou may issue
3 its bonds, with interest coupons, said bonds to be signed by
4 the municipal officers and treasurer of said town, when
5 authorized by a vote of said town, to an amount, which, taken
6 in connection with the other indebtedness of the town, will

7 not exceed the amount limited by the Constitution of Maine.
8 Said coupons need not be signed as the bonds, but shall have
9 printed or lithographed thereon the signature of the town
10 treasurer.

Sect. 10. The provisions of Sections two, three, four, five,
2 six, seven and eight of this Act shall not become effective
3 until said town of Caribou has acquired by purchase the
4 property described in Section one of this Act.

Sect. 11. Whereas it is deemed expedient for the town of
2 Caribou to purchase the property of said Caribou Water,
3 Light and Power Company as described in the foregoing
4 articles in order to effect improvements that the said corpor-
5 ation is unable to make, and as such purchase is immediately
6 necessary for the preservation of the public health, the fore-
7 going act is to be construed as an emergency bill and is to
8 take effect when approved.