

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-EIGHTH LEGISLATURE

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HOUSE

NO. 671

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*House of Representatives, March 23, 1917.*

*Printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

---

AN ACT to incorporate the Calais Water and Power Company.

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

Section 1. Samuel C. Manley of Augusta, Josiah S. Maxcy  
2 and Weston Lewis of Gardiner, in the County of Kenne-  
3 bec, their associates, successors and assigns be and hereby  
4 are made a corporation by the name of the Calais Water  
5 and Power Company for the purpose of supplying the city  
6 of Calais and any adjoining municipalities and the inhab-  
7 itants thereof with water for domestic, sanitary, and mu-  
8 nicipal purposes including the extinguishment of fires; and  
9 such corporation shall possess all the powers and be sub-

ject to all the liabilities and obligations imposed upon similar corporations by law.

Sect. 2. The capital stock of said company shall be one hundred thousand dollars, which may be increased or diminished at any time at a duly notified meeting of the stockholders thereof by a majority vote, subject, however, to the approval of the Public Utilities Commission.

Sect. 3. Said corporation is hereby authorized to acquire by purchase or otherwise, mortgage, sell and convey such real estate and personal property as may be necessary or convenient for carrying out the purposes of the corporation, and may from time to time, upon the security of its property, issue such bonds, debentures or other evidences of indebtedness, and in such amounts, as may be authorized by law or approved by the Public Utilities Commission.

Sect. 4. Said corporation is hereby authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of any corporation, individual, firm, association now or hereafter authorized by law to supply water for domestic, sanitary, and municipal purposes including the extinguishment of fires to any municipality or the inhabitants thereof, within Washington county or contiguous thereto, and is expressly and specifically authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of the Maine Water Com-

12 pany, including all rights, privileges and franchises, grant-  
13 ed to it by chapter two hundred seven of the private and  
14 special laws of nineteen hundred and fifteen, the Calais  
15 Water Company and the Saint Croix Electric Light and  
16 Water Company, and said Maine Water Company, Calais  
17 Water Company and Saint Croix Electric Light and Wat-  
18 er Company are hereby authorized to sell, convey and  
19 transfer to the Calais Water and Power Company all their  
20 property, rights, privileges, immunities and franchises  
21 aforesaid upon such terms as may be mutually agreed upon,  
22 subject, however, to the approval of the Public Utilities  
23 Commission; and upon such purchase and transfer the Cal-  
24 ais Water and Power Company shall have, hold, possess,  
25 and exercise all the locations, powers, privileges, rights,  
26 immunities, franchises, property and estates which at the  
27 time of any such purchase and transfer shall be held, pos-  
28 sessed or enjoyed by the corporations so selling, or either  
29 of them, and shall be subject to all the duties, restrictions  
30 and liabilities to which they or any of them, shall then be  
31 subject by reason of any charter, contract, general or spe-  
32 cial law of this state, or otherwise. Whenever this cor-  
33 poration shall have acquired all the property, rights, privi-  
34 leges, immunities, and franchises of the Maine Water Com-  
35 pany, the Calais Water Company and the Saint Croix Elec-  
36 tric Light and Water Company it shall have the right to  
37 obtain water for the purpose of its incorporation by con-  
38 tract with any corporation, partnership, individual or asso-

39 ciation or municipality within the state of Maine or domin-  
40 ion of Canada.

Sect. 5. Whenever said corporation shall have acquired  
2 the property, rights, franchises, immunities and privileges  
3 of the Maine Water Company, the Calais Water Company,  
4 and the Saint Croix Electric Light and Water Company  
5 upon such terms as may be approved by the Public Utili-  
6 ties Commission, it shall have the power, by right of emi-  
7 nent domain as hereinafter provided, which right is here-  
8 by expressly delegated to said corporation, to take as for  
9 public uses and hold any land or interest therein or water  
10 rights necessary for dams, for flowage, for power for  
11 pumping its water supply through its mains, for preserving  
12 the purity of the water and watershed, and for laying and  
13 maintaining aqueducts, hydrants, pipe lines, and other  
14 structures for taking, distributing, discharging and dispos-  
15 ing of water, and particularly and expressly to take and  
16 hold, divert and use the waters of East Magurrewock Lake,  
17 or West Magurrewock Lake, or otherwise known as How-  
18 ard Lake, or both, in Washington county, or any of the  
19 tributaries or outlet waters thereof and the waters of any  
20 springs, lakes or ponds in the city of Calais, or vicinity,  
21 which may be necessary or convenient as principal or aux-  
22 iliary sources of supply for the furnishing of water as  
23 aforesaid for the purposes of said corporation; and to erect  
24 dams, build piers or other structures necessary for the op-  
25 eration of the plant of said corporation and to raise the

26 head of water in any of said lakes, ponds, their tributaries  
27 or outlets, necessary to form reservoirs to hold sufficient  
28 supply for the purposes of said corporation and to take  
29 and hold so much of the watershed of said lakes or ponds  
30 and any of their tributaries or outlets in the city of Calais,  
31 and the towns of Robbinston, Baring and Charlotte and  
32 adjoining towns, as may be necessary to preserve the pur-  
33 ity of said water supply, and to lay in and through any  
34 public streets and highways and across any private lands  
35 necessary or convenient to conduct said water for the pur-  
36 pose aforesaid, and to that end to take and hold any lands,  
37 easements or otherwise as may be necessary to conduct  
38 said waters as aforesaid, and the right of eminent domain  
39 is hereby expressly granted and delegated to said corpora-  
40 tion.

Sect. 6. Said corporation is hereby authorized to lay  
2 down and maintain, under, through and across the high-  
3 way, ways, streets and railroads in said city or towns any  
4 and all necessary aqueducts, pipes and fixtures as may be  
5 necessary for the objects of its incorporation, and to enter  
6 upon and take up any road, street or way in said city or  
7 towns, for the purposes aforesaid, and to erect along said  
8 streets and ways any hydrants, drinking fountains or other  
9 distributing facilities that may be necessary, convenient or  
10 useful for the purposes of said corporation, and in a gen-  
11 eral way to do any other acts or things necessary, conveni-  
12 ent or proper to be done for the complete establishment

13 and maintenance of its works and plant; provided always,  
14 that the company shall at its own expense and to the sat-  
15 isfaction of the municipal officers of said city of Calais and  
16 other towns in which said works are established without  
17 unnecessary delay, repair the said highways, streets, and  
18 ways in every part where they shall be so entered upon and  
19 dug up, and restore the covering, pavement and sidewalks  
20 thereof respectively.

Sect. 7. Said company shall be liable in all cases to re-  
2 pay to said city all sums of money that said city may be  
3 obliged to pay on any judgment recovered against said city  
4 for damages occasioned by any obstruction, or digging up,  
5 or displacement of any street by said corporation, together  
6 with counsel fees and other expenses necessarily incurred  
7 in defending said city in actions therefor; provided, how-  
8 ever, that said company shall have notice in writing of the  
9 commencement of any and all suits for such damage, and  
10 said company shall have the right to defend any such ac-  
11 tion at its own expense.

Sect. 8. Whenever this corporation shall have acquired  
2 by purchase or otherwise all the property, capital stock,  
3 rights, privileges and franchises and all other rights of the  
4 Maine Water Company, the Calais Water Company and  
5 the Saint Croix Electric Light and Water Company, said  
6 Maine Water Company and the Calais Water Company shall  
7 have the benefit of the provisions of section thirty-three of  
8 chapter fifty-one of the Revised Statutes of nineteen hun-  
9 dred and sixteen.

Sect. 9. Whenever the corporation shall exercise any of  
2 the rights of eminent domain herein or otherwise granted,  
3 proceedings shall be had according to the provisions of  
4 chapter sixty-one of the Revised Statutes of nineteen hun-  
5 dred and sixteen.

Sect. 10. The first meeting of said corporation may be  
2 called by a written notice thereof signed by any two incor-  
3 porators heretofore named, served upon each incorporator  
4 by copy of same given in hand or mailed postage prepaid  
5 at least seven days before the day named therein for such  
6 meeting, but if all the incorporators herein named are pres-  
7 ent at such meeting and sign upon the record a waiver of  
8 notice thereof no such written notice shall be required.