

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

and other structures causing as little obstruction to navigation as possible.

Sect. 9. The capital stock of said company shall not exceed one hundred thousand dollars, and said stock shall be divided into shares of fifty dollars each.

Capital stock.

Sect. 10. Said company for all of its said purposes may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

May hold real estate.

Sect. 11. Said company may issue its bonds for the construction of its works, of any and all kinds upon such rates and times as it may deem expedient, not exceeding the amount of capital stock subscribed for and secure the same by mortgage of the franchise, income and property of said company.

May issue bonds and mortgage property.

Sect. 12. The first meeting of said company may be called by a written notice thereof, signed by any one incorporator herein named, served upon each incorporator by giving in hand or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting, how called.

Sect. 13. This act shall take effect when approved.

Approved March 10, 1897.

Chapter 428.

An Act to incorporate the Kingfield Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. H. S. Wing, E. E. Jenkins, John Winter, Charles W. French, A. G. Winter, Orren Tufts, C. W. Clark, W. J. Jordan, O. W. Simmons, E. C. Williamson, F. J. D. Barnjum, with their associates and successors, are hereby made a corporation under the name of the Kingfield Water Company, for the purpose of supplying the inhabitants of the town of Kingfield with suitable water for industrial, manufacturing, domestic, sanitary and municipal purposes, including the extinguishment of fire; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

Corporators.

—corporate name.

—purposes.

Sect. 2. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from the Carrabassett river, or from any spring, pond, brook or other waters

May take water from Carrabassett river, etc.

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in the town of Kingfield, except springs now in use for supplying water for domestic purposes; to conduct and distribute the same into and through the said town of Kingfield; and to survey for, locate, construct and maintain suitable and convenient dams, reservoirs, buildings, machinery, lines of pipes, aqueducts, structures and appurtenances.

May lay pipes over river.

Sect. 3. The said corporation is hereby authorized to lay, construct and maintain its lines of pipe under, in and over the Carrabassett river and any tributaries thereof, in the said town of Kingfield, and to build and maintain all necessary structures therefor, at such places as may be necessary for the said purposes of the said corporation; and to cross any water course, private or public sewer, or to change the direction thereof, where necessary for their said purposes of incorporation, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury or damage caused thereby.

—may cross any water course, private or public sewer.

May lay pipes along any highway, etc.

Sect. 4. The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads and bridges in the said town of Kingfield, and to take up, replace and repair, all such aqueducts, pipes, hydrants and other structures and fixtures as may be necessary and convenient for the said purposes of said corporation; and the said corporation shall be responsible for all damages to said town and to all corporations, persons and property, occasioned by such use of the said highways, ways and streets. Whenever the said corporation shall lay down or construct any fixtures in any highway, way or street, or make any alterations or repairs upon works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavement then removed by it, to be replaced in proper condition.

—responsible for all damages.

—shall not obstruct public travel.

May take and hold any lands for flowage, etc.

Sect. 5. The said corporation is hereby authorized to take and hold, by purchase or otherwise, any lands necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, lines of pipe, hydrants and other necessary structures or fixtures, in, over and through any land for the said purposes, and excavate in and through such land for such location, construction and erection. And in general to do any

acts necessary, convenient or proper, for carrying out any of the said purposes of incorporation. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds for the county of Franklin, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any one line of pipe or aqueduct.

—shall file plans of location in registry of deeds in Franklin county.

Sect. 6. Should the said corporation and the owner of any land required for the said purposes of incorporation, be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may, within twelve months after the said filing of plans of location, apply to the commissioners of said county of Franklin, and cause such damages to be assessed in the same manner and under the same conditions, as are prescribed by law in the case of damages by the laying out of railroads. If the said corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sums as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of the said county, the said location shall be thereby invalid and the said corporation shall forfeit all rights under the same, as against the owner of the land. The said corporation may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than was tendered him by the said corporation, he shall recover cost, otherwise the said corporation shall recover cost. In case the said corporation shall begin to occupy such land before the rendition of final judgment, the land owner may require the said corporation to file its bond to him with the said county commissioners, in such sum and with such sureties as they may approve, conditioned for the payment of the damages that may be awarded. No action shall be brought against the said corporation for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid. Failure to apply for damages within the said twelve months, shall be held to be a waiver of the same.

Damages, how assessed in case of disagreement.

—location invalid, if damages are not paid.

—failure to apply for damages, shall be held as a waiver.

Sect. 7. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Franklin, the town of Kingfield, and with the inhabitants

May contract to supply water.

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—town may contract for water and exempt from taxation.

Capital stock.

May hold real estate.

May issue bonds and mortgage property.

First meeting, how called.

thereof or any corporations doing business therein, for the supply of water and power for the purposes contemplated in this act; and the said town and corporation by their proper officers, are hereby authorized to enter into contract with the said corporation for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burdens as the said town and the said corporation may agree upon, which when made, shall be legal and binding upon all parties thereto.

Sect. 8. The capital stock of the said corporation shall be fifteen thousand dollars, which may be increased to any sum not exceeding fifty thousand dollars, by a majority vote of the stockholders of the said corporation; and the stock shall be divided into shares of fifty dollars each.

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

Sect. 10. The said corporation may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient not to exceed the amount of the capital stock subscribed for, and secure the same by mortgage of its franchise and property.

Sect. 11. The first meeting of said corporation shall be called by a written notice thereof, signed by any two of the named incorporators, served upon each named incorporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the time of meeting, or by publishing said notice in some newspaper published in Phillips.

Sect. 12. This act shall take effect when approved.

Approved March 10, 1897.