

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

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conditions as it may see fit, and secure said bonds and interest by deed of trust or mortgage of its entire franchise and property or any part thereof.

SECT. 7. This act shall take effect when approved.

Approved March 17, 1891.

Chapter 229.

An Act to prevent the use of narrow rimmed wheels over the streets of the city of Calais.

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

Narrow rimmed
wheels,
prohibited in
Calais.

SECT. 1. No person or persons shall haul any freight or merchandise over the streets of the city of Calais with a team of three or more horses, mules or oxen upon wheels of less than six inches tread or breadth of rim.

Penalty, for
violation.

SECT. 2. Any person violating the provisions of the foregoing section shall pay a fine of ten dollars for each offense, with costs of prosecution, to be recovered on complaint of any city officer of said Calais, before the municipal court of said city, and all fines collected under this act shall forthwith be paid into the treasury of said city.

When act shall
take effect.

SECT. 3. This act shall take effect and be in force from and after the first day of May, in the year of our Lord one thousand eight hundred and ninety-one.

Approved March 17, 1891.

Chapter 230.

An Act to incorporate the Pittsfield Water Company.

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

Corporators.

SECT. 1. Robert Dobson, William Dobson, Gordon Dobson, Dennison Walker, A. P. McMaster, Frank W. Hovey, George H. Hunter, Frank W. Weeks, Freeland Holmes, James F. Connor, H. Pushor, Isaac H. Lancey, C. E. Vickery, N. L. Perkins, E. C. Bryant, H. F. Libby, Oren S. Haskell, Benjamin Thompson, T. M. Griffin, W. B. Rhoades, Emery Whitten, James M. Coffin, Joseph H.

Walker, Oramel Murray, J. C. Connor, A. H. Cornforth, David M. Parks, T. N. Drake, J. W. Manson, William R. Hunnewell, their associates and successors, are hereby made a corporation by the name of the Pittsfield Water Company, for the purpose of furnishing to the inhabitants of the town of Pittsfield a supply of water for domestic, sanitary and municipal purposes, and also for the extinguishment of fires, and for other public uses, with all the rights, privileges, immunities, duties and obligations incident to similar corporations.

—corporate name.

—purposes.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars; it may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid; and it may issue bonds and other obligations, secured by a mortgage on its franchise and other property, and on any franchise and property by it acquired under this act, to carry out the purpose for which it is created.

Capital stock.

—may issue bonds and mortgage property.

SECT. 3. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein, including water from any pond, rivers, streams, springs, or artesian wells, necessary for obtaining a sufficient supply of water, for the construction of reservoirs, and for its gates, hydrants, stations, and other structures and for laying its pipes; but said corporation shall not take any developed or undeveloped water power or privilege on the Sebasticook river or any lands connected with such water powers necessary for the erection and maintenance of a dam; and may erect and maintain all necessary reservoirs, standpipes and hydrants or other structures; it may lay its pipes through the lands of persons and corporations, and under such reasonable restrictions and regulations as the selectmen of said town may prescribe, along and in the streets and ways of said town; and it may lay and maintain its pipes under any railroad, water course or private way, and across any drain or sewer, or pipe of any kind, provided, that in the matter of crossing pipes, it shall at its own expense, and within reasonable time, replace, repair and cover all such pipes as may be injured or disturbed during the construction and repair of its works, and it may enter upon, pass over, and dig up any real estate, railroad, street or way, for the purpose of laying pipes or erecting hydrants or other fixtures, and maintaining and repairing the same; and it may do any other act or thing

May take real estate, etc.

—may erect reservoirs, etc.

—lay pipes.

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necessary, convenient and proper to carry out the purposes of its incorporation.

Shall file description of land or water rights taken in registry of deeds in Somerset county.

SECT. 4. Said corporation shall file in the registry of deeds for Somerset county a certificate containing a description of the land or water rights taken under this act, or in which an easement is taken under the provisions of this act and a statement of the purposes for which it is taken will be recorded by the register, and such land, right or easement shall be deemed to be taken on the filing of such certificate; but this section shall not apply to the service pipes leading from the main pipe for the purpose of distributing the water.

Liable for all damages.

SECT. 5. Said corporation shall pay all damages sustained by any person or corporation, by the taking of any land, right of way, water, water source, water right or easement, or by any other thing done by said corporation under the authority of this act. Any person or corporation sustaining damages as aforesaid, may have the same determined in the manner provided by law for the assessment of damages for lands taken for railroads, upon application at any time within three years from the taking of such land or other property, or the doing of other injury under the authority of this act; but if no application is made within three years as aforesaid, the party claiming to have suffered damages shall be deemed to have waived his claim therefor.

—damages, how determined.

Company may distribute water and fix rates.

SECT. 6. Said corporation may distribute water through said town of Pittsfield and its vicinity; may regulate the use of said water, and fix and collect water rates to be paid for the same; and said corporation shall be bound to furnish at reasonable rates as aforesaid, water to the inhabitants of said town for said uses within a reasonable distance from its main pipes, and to said town in its corporate capacity for public uses. Said town and any village corporation therein is hereby authorized to contract with said corporation for water for public uses, on such terms and for such time as the parties may agree, including the remission of taxes upon the real estate, fixtures and plant of said corporation, and may raise money therefor in the same manner as for other town charges, and as provided in the charter of such village corporation. The said town at its annual town meeting in the year eighteen hundred and ninety-one, or at any special meeting within one month thereafter, may vote to assume the franchises of said corporation. Upon such vote the corporators above named

—town and village, may contract for water.

shall transfer and assign to said town all the rights and franchises hereby granted, and it may thereafter exercise and enjoy the same as fully as if granted to said town direct. At any time within ten years from the approval of this act, the said town may purchase from said company all its property and franchises upon such terms as may be agreed upon. The said town is authorized to sell to said company its pipes and hydrants now located therein.

—town, may
assume
franchises.

SECT. 7. Any person who shall willfully and maliciously corrupt the waters of any of the sources of supply, or reservoirs of said corporation, or who shall leave or throw any offensive matter or materials upon them when frozen over, or who shall willfully injure any reservoir, conduit, pipe, hydrant, engine, water wheel, or any other property, held, owned or used by said corporation for the purposes of this act, shall pay three times the amount of damages to said corporation, to be recovered in any proper action; and any person convicted of any of said acts aforesaid, shall be punished by a fine not exceeding one hundred dollars, and by imprisonment not exceeding one year.

Penalty, for
corrupting
water or
injuring works.

SECT. 8. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary, but in such manner as not to obstruct or impair the use thereof.

May cross any
water course or
sewer.

SECT. 9. Said company shall in all cases be liable to pay to said town all sums recovered against it for damages by reason of any defect in any highway, way or street therein, occasioned by any fault or neglect of said company, together with reasonable counsel fees and costs incurred in defending such suits with interest on the same; provided, said company shall have notice of any suit wherein such damages are claimed and shall be allowed to defend the same at its own expense.

Liable for
damages to
highways.

SECT. 10. The said company is authorized to acquire by purchase or lease the franchises and property of any electric light company hereafter located in said Pittsfield and organized to supply said town, or any part thereof with light, heat and power by electricity, and any such electric light company is hereby authorized to make such sale or lease. After such sale or lease the said water company may exercise and enjoy all franchises so acquired; and, thereafter, may contract with said town or any village corporation, for a term of years, for the public lighting therein.

May purchase
property of any
electric light
company.

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First meeting,
how called.

SECT. 11. The first meeting of said company may be called by a written notice thereof, signed by any two corporators served upon each corporator by copy in hand, or sent by mail, seven days before the time of meeting.

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

Approved March 17, 1891.

Chapter 231.

An Act to incorporate the Northern Maine Shaver Molecular Telephone and Telegraph Company.

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

Corporators.

SECT. 1. Charles F. Jones, George B. Safford, F. R. Buck and E. C. Emery, their associates, successors and assigns, are hereby created a body corporate, by name of the Northern Maine Shaver Molecular Telephone and Telegraph Company, with all the rights and privileges, and subject to all the duties provided by the general laws of this state, relating to corporations, with power by that name to sue and be sued, to have and use a common seal, and the same to change at pleasure; to establish any and all by-laws and regulations, for the management of their affairs, not repugnant to the laws of this state; to do and perform any and all other lawful acts incident to corporations of similar character; and said company shall have the right to locate and construct its lines upon and along any public highway, bridge or private lands, or along and upon the line of any railroad, in, through and about all the towns and cities in Somerset and Franklin counties, but in such manner as not to incommode or endanger the customary public use thereof; and the company may cut down any trees standing within the limits of any highway, except ornamental, fruit or shade trees, when necessary for the erection, use or safety of its lines.

—corporate
name.

—authorized to
construct line
upon any
highway.

May construct
lines in Somer-
set and Franklin
counties.

SECT. 2. Said corporation is hereby authorized to construct, maintain and operate telephone and telegraph lines throughout the length and breadth of Somerset and Franklin counties, with as many wires and branches as they may see fit, commencing and terminating at such point or points, as they may select hereafter within the limits aforesaid, and