

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1895.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1895.

two years, one for the term of three years, one for the term of four years, and one for the term of five years; and at each subsequent annual meeting of the corporation one trustee shall be chosen for the full term of five years. Any vacancy in the board occurring between said annual meetings shall be filled temporarily by the board, and the trustees so elected shall hold office till the next annual meeting or until others are elected and qualified in their stead.

—vacancy,
how filled.

SECT. 4. Ten of said corporators shall constitute a quorum for the transaction of business. Said corporation shall have power to make and establish such regulations and by-laws as may be necessary for the choice of all proper officers; to prescribe their duties and powers and to provide generally for the internal government and economy of the hospital, such by-laws not being repugnant to the laws of the state.

Quorum.

—by-laws.

SECT. 5. The first meeting of said corporation shall be called by any five of said corporators by publication of the time and place of such meeting, in one of the newspapers published in said Houlton, said publication to be at least seven days before the time of said meeting.

First meeting,
how called.

SECT. 6. The said corporation is authorized to establish a training school for nurses and to issue diplomas to such persons as are deemed to be entitled to the same.

May establish
training
school for
nurses.

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

Approved March 7, 1895.

Chapter 145.

An Act to incorporate the Winn Water and Power Company.

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

SECT. 1. Simon B. Gates, Nathan A. Averill, James Rice, E. C. Ryder, Andrew J. Lee, T. A. Ranney, B. F. Wyman, V. S. Merrill, J. P. Mallett, P. B. Davis, J. W. Burke, J. W. Coombs, Henry Whitney, G. Henry Haynes, J. W. Spencer, J. H. Jordan, N. M. Jones, F. A. Greenwood, H. S. Grant, P. J. Mulherin, C. J. Carll, Henry Jarvis, J. E. Estes, J. D. Stanwood, I. B. Wood, J. R. Cromwell, C. W. Mullen, A. B. Brown, Daniel Rice, D. C.

Corporators.

CHAP. 145

Haynes, H. N. Merrill, G. F. Stratton, E. H. Megquire, C. H. Burke, C. C. Burke, Joseph Clukey, F. W. Scott, J. B. Mullen, John G. Fleming, E. A. Reed, W. F. Lovejoy, F. J. Fiske, B. E. Dennis, W. H. Gordon, H. H. DeBeek, J. E. Clark, F. C. Estes, G. A. Bradman, M. F. Scott, F. J. Rich, W. H. Libby, their associates, successors and assigns, are hereby incorporated by the name of the Winn Water and Power Company, for the purpose of conveying to and supplying the inhabitants of the town of Winn with water for all domestic, sanitary and municipal purposes, including the extinguishment of fires, and for the purpose of creating, selling and leasing power for manufacturing purposes, with all the rights and privileges and subject to all the liabilities and obligations of similar corporations under the general laws of this state.

Corporate name.

—purposes.

Authorized to erect dam across Penobscot river.

—shall maintain sluices.

May cut canals, and take land.

Authorized to lay pipes, etc., across any highway.

SECT. 2. Said company is authorized to erect and maintain a dam across the Penobscot river between a point opposite the tannery of Henry Poor and Sons, in said town of Winn, and the railroad bridge near the village of Mattawamkeag on the Canadian Pacific Railway; provided, that suitable sluices shall be constructed and maintained by said company in said dam for the passage of rafts, logs and lumber.

SECT. 3. Said company is further authorized to cut and maintain canals from said dam, and for the purpose of constructing said dam and canals, may take, occupy and inclose any lands adjoining the same which may be necessary for building or repairing the same and other necessary purposes on each side thereof, and may blow up and remove any rocks in said river, and dig up any land in said river, when necessary.

SECT. 4. Said company is further authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town and to take up, replace and repair all such pipes, hydrants and structures as may be necessary for the purposes of its incorporation; to enter upon and excavate any highway or other way in such manner as least to obstruct the same; to enter, pass over and excavate any land; to take and hold by purchase or otherwise any real estate, rights of way or of water and in general to do any acts necessary, convenient or proper

CHAP. 145

for carrying out any of the purposes of this act; provided, that in case of any crossing of a railroad, unless said corporation shall agree with the company owning and operating such railroad, as to place, manner and conditions of the crossing, the railroad commissioners shall determine the place, manner and conditions of such crossing; and all work within the limits of such railroad location shall be done under the supervision and to the satisfaction of the officers of such railroad company, but at the expense of this corporation.

—manner of crossing any R. R., shall be determined by R. R. commissioners.

SECT. 5. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture in any highway, way or street, or make any alterations or repairs upon its 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 then removed by it, to be replaced in proper condition.

May cross any water course, or sewer.

—shall not obstruct public travel.

SECT. 6. Said company is authorized to lay and maintain its pipes under, in and over the Penobscot river, and to build and maintain all necessary structures therefor.

May lay pipes under Penobscot river.

SECT. 7. Said company shall file in the registry of deeds in the county of Penobscot, plans of the location of all land and water rights taken under the provisions of this act, and no entry shall be made on any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan the said company may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company.

Shall file plan of location, in Penobscot registry of deeds.

—file statement of damages it is willing to pay.

SECT. 8. Said company shall be held liable to pay all damages that shall be sustained by any persons by the taking of any lands, water, rights of way or other property or by excavating through any land for the purpose of surveying for, locating, laying or building dams, canals, reservoirs, pipes, hydrants or other structures, by taking and holding

Liable for all damages.

CHAP. 145

—how assessed in case of disagreement.

any lands necessary for flowage and for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, shall not agree with said company upon the sum to be paid therefor, either party, on petition to the county commissioners of Penobscot county, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceeding and right of appeal thereon shall be had in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same.

May make contracts to supply water.

SECT. 9. Said company is authorized to make contracts with other corporations and the inhabitants of said town, for a supply of water or for any of the purposes for which the company is organized. The town of Winn is authorized to enter into contract with said company for a supply of water for fire and other purposes, for a term of years and for such exemption from public burden as may be agreed upon, which when agreed upon, shall be legal and binding upon all parties thereto. The said company is authorized to sell or lease any power not used by it on the dams aforesaid.

—town authorized to contract for water, and exempt from taxation.

Capital stock.

SECT. 10. The capital stock of said company shall not exceed one hundred thousand dollars, divided into shares of fifty dollars each. Said company may hold real and personal estate necessary and convenient for its purposes aforesaid.

May issue bonds and mortgage property.

SECT. 11. For the purpose of carrying out the foregoing provisions or either of them, said company is authorized to issue its bonds in such form and amount and on such time and rates, not exceeding the amount of its capital stock subscribed for, and secure the same by mortgage of its property and franchises.

First meeting, how called.

SECT. 12. The first meeting of said corporation shall be called at Winn, on a notice in writing signed by any two of the corporators named in section one. Such notice shall be served in hand or by mail, postage prepaid, at least seven days before the day appointed therefor. At such meeting any corporator may be represented and act by proxy.

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