

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

Chapter 318.

An Act to incorporate the Bridgton Water Company.

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

- Corporators.** Section 1. Winburn M. Staples, Albion H. Burnham, Fred C. Knight, C. E. Gleason and W. L. Haskell of Bridgton, E. E. Goodwin, Willis E. Sanborn and Charles A. Bodwell of Sanford, with their associates and successors, be and are hereby made a corporation under the name of the Bridgton Water Company, for the purpose of supplying the inhabitants of the town of Bridgton with pure water for domestic, sanitary and municipal purposes, including the extinguishment of fires; and such corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed upon corporations by law, except as herein otherwise provided.
- corporate name.**
- purposes.**
- Location.** Section 2. The place of business of said corporation shall be at Bridgton, in the county of Cumberland and state of Maine, and its business shall be confined to the town of Bridgton, in said county.
- May take water.** Section 3. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from Highland lake or Woods pond, or from any spring, pond, brook, or other waters in the town of Bridgton, to conduct and distribute the same into and through the said town of Bridgton; and to survey for, locate, construct, and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, buildings, machinery, lines of pipe, aqueducts, structures and appurtenances. If water is taken as aforesaid from said Highland lake, the quantity taken therefrom shall be only so much as can be taken by one outlet, conduit or pipe not exceeding eight inches in diameter.
- amount that may be taken from Highland lake.**
- May lay pipes.** Section 4. The said corporation is hereby authorized to lay, construct, and maintain its lines of pipe in the town of Bridgton, and to build and maintain all necessary structures therefor at such places as shall be necessary for the said purposes of said corporation; and to cross any water course, private or public sewer, or to change the direction thereof, when 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 caused thereby.
- may cross any sewer.**
- liable for injury.**
- May lay pipes along highways.** Section 5. 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, and to take up, replace and repair, all such aqueducts,

sluices, pipes, hydrants and other structures and fixtures, as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as the selectmen of the said town may impose; and the said corporation shall be responsible for all damages to the said town, and to all corporations, persons and property, occasioned by such use of the highway, ways and streets. Whenever the said corporation shall lay down or construct any pipes or fixtures in any highway, way or street, or make any alteration 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 and pavement then removed by it, to be replaced in proper condition.

—responsible
for all
damages.

—shall not
obstruct
travel.

Section 6. The said corporation is hereby authorized to take and hold, by purchase or otherwise any land necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings, and other necessary structures, and may locate, erect, lay and maintain aqueducts, hydrants, lines of pipes, 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 act necessary, convenient or proper for carrying out any of the said purposes of incorporation. It may enter upon such land to make surveys and locations, and shall file in the registry of deeds in the county of Cumberland, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notices 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 more than one line of pipe or aqueduct.

May take
land.

—shall file
plan of
location in
registry of
deeds.

Section 7. Should the said corporation and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding, flowing and construction, the land owner or said corporation may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Cumberland, and cause such damages to be assessed in the manner and under the same conditions as are prescribed by law in the case of damages by the laying out of highways, so far as such law is consistent with the provisions of this act. If said corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judg-

Damages,
how ascer-
tained in case
of disagree-
ment.

—if corpora-
tion fails to
pay costs
may be
recovered.

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ment shall have been received by the clerk of courts of said county, the said location shall be thereby invalid, and the said corporation shall forfeit all rights under the same, as against such land owner. The corporation may make a tender to any land owner, damages 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 costs otherwise the said corporation shall recover costs. 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 said judgment or deposits. 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 them.

—when company may recover costs.

—when action may be brought.
—failure to apply for damages held as a waiver.

How damages may be assessed.

Section 8. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages assessed in the manner provided in the preceding section and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment, and a tender by said company may be made with the same effect as in the preceding section.

May contract to supply water.

Section 9. The said corporation is hereby authorized to make contracts with the town of Bridgton and with any village corporation in the said town, and with the inhabitants thereof, or any corporation doing business therein, for the supply of water for any and all the purposes contemplated in this act; and the said town and any village corporations in the said town by their proper officers, are hereby authorized to enter into any contract with the said corporation for a supply of water for any and all purposes mentioned in this act, and in consideration thereof to relieve said corporation from such public burdens by abatement or otherwise as said town, village corporation, and the said corporation may agree upon, which when made, shall be legal and binding upon all parties thereto.

—may be exempted from taxation.

Penalty for corrupting water supply or injuring works.

Section 10. Whoever shall knowingly or maliciously corrupt the water supply of the said corporation, whether frozen or not, or in any way render such water impure, or whoever shall willfully or maliciously injure any of the works of the said corporation, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall

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be liable to the said corporation for three times the actual damage, to be recovered in any proper action.

Section 11. The capital stock of the said corporation shall be fifty thousand dollars and the said stock shall be divided into shares of one hundred dollars each.

Section 12. The said corporation, for all its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding one hundred thousand dollars.

Section 13. 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, to an amount not exceeding its capital stock, and secure the same by mortgage of its franchise and property.

Section 14. The first meeting of the corporation shall be called by a written notice therefor, signed by Winburn M. Staples, Charles A. Bodwell, or any incorporator named herein, served upon each corporator by giving 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.

Section 15. This act shall take effect when approved.

Approved March 6, 1901.

Chapter 319.

An Act relating to the Mallison Power Company.

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

Section 1. The Mallison Power Company, a corporation duly incorporated under the general laws of this state, in addition to the rights obtained thereby, and for the purposes contemplated in its original incorporation and in this act, is hereby authorized and empowered to issue its bonds or other evidences of indebtedness in such amounts and on such times and rates as it may, from time to time determine, and secure the same, by mortgage of its property and franchises; increase its capital stock to any amount not prohibited by law, as it deems necessary; acquire in any legal manner and hold, sell, lease or otherwise convey all real and personal property and rights including the shares of the capital stock and bonds of other corporations, necessary, proper or convenient for all said purposes, and vote upon said stock while so held, and is also authorized and empowered to carry on the business of making, generating, using, selling, distributing, transmitting and supplying electricity for lighting, heat-

Capital stock.

May hold estate to the amount of \$100,000.

May issue bonds and mortgage property.

First meeting, how called.

Mallison Power Company authorized to issue bonds and mortgage property.

—may increase capital stock,

—may acquire stock and bonds of other corporations.

—supply electricity.