

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 457.

An Act to incorporate the Jonesport Light and Water Company.

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

Section 1. Edward B. Sawyer, George W. Smith, Charles S. Hinkley and George M. Curtis with their associates and successors, are hereby made a corporation by the name of the Jonesport Light and Water Company, for the purpose of supplying the town of Jonesport, in the county of Washington, with suitable water for industrial, 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. And also for the purpose of supplying the inhabitants of said Jonesport with light for factories, hotels, dwellings, and any and all places where illumination may be needed or desired.

Corporators.

—corporate name.

—purposes.

Section 2. The said corporation for all its said purposes, may hold real and personal estate necessary and convenient therefor for any amount not exceeding one hundred thousand dollars.

May hold property not exceeding \$100,000.

Section 3. For the purposes aforesaid, or for the storage and preservation of the purity of said water, said corporation is hereby authorized to take and use water from Indian river, or from any spring, pond, brook or other water in the said town of Jonesport or from any spring, brook or pond in either of the adjoining towns of Jonesport and Addison; provided that no water be taken from springs now used for domestic or private purposes without consent of owner; to collect, conduct and distribute the same into and through the said town of Addison, for the said towns of Addison and Jonesport; to survey for, locate, lay, erect and maintain suitable reservoirs and machinery, pipes, aqueducts and the necessary fixtures; to carry its pipes or aqueducts under, in and over Indian river, or under or over any water course, bridge, street railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway or other way in such a manner as to least obstruct the same, enter, pass over and excavate any lands, and to take and hold by purchase or otherwise any real estate, rights of way or water, and in general do any acts necessary, convenient, or proper for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to

Authorized to take water.

—water shall not be taken from private springs except by consent of owner.

—may erect reservoirs, lay pipes, etc.

—lay pipes over or under Indian river or over any highway.

—may excavate any highway as least to obstruct travel.

—may lay pipes through any way or private lands.

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enter upon the same, or dig therein; and said corporation may make written regulations for the use of said water, and change the same from time to time.

Shall file in registry of deeds, plans of land and water taken.

Section 4. Said corporation shall file in the registry of deeds for the county wherein located, plans and a description of all lands and water rights taken or in which an easement is taken under the provisions of this act and a statement of the purpose for which said lands and easements are taken; and within thirty days thereafter publish a notice of such filing in some newspaper in said county, said publication to be continued three weeks successively, and the filing of such plans and description shall be deemed to be a taking of such lands, water rights and easements; and with such plans and description the said corporation may file a statement of the damage it is willing to pay the owner for any property so taken, and if the amount finally awarded, exceeds that sum, such owner shall recover costs against the corporation; otherwise, the corporation shall recover costs against such owner.

—file statement of damage it is willing to pay.

Liable for all damages.

Section 5. Said corporation shall be held liable to pay, all damages that shall be sustained by any persons, to themselves or their property, occasioned by the use of such streets and ways, and shall pay to said town of Jonesport all sums recovered against said town from obstructions occasioned by said corporation, and for all expense, including reasonable counsel fees incurred in defending such suits, with interest on the same; but said corporation may assure the defense of suits brought to recover damages, aforesaid; and also for all damages sustained by any person by the taking of any land, water, rights of way or other property, or by excavating through any land for the purpose of laying or building any dams, reservoirs, pipes and aqueducts, and for any other injuries resulting from said acts.

—damages how ascertained in case of disagreement.

And if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor; either party, on the petition to the county commissioners of Washington county, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceedings, 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.

—appeal may be taken.

—failure to apply for damages held to be a waiver.

May contract to supply water.

Section 6. Said corporation is hereby authorized to make agreements with the United States, state of Maine, the county of Washington, the town of Jonesport, or any village corporation

within the limits of said town, and with the inhabitants thereof, or with any corporation doing business in the said town, for the purpose of supplying water as contemplated by this act. And the said town of Jonesport or any other village corporation duly organized therein, by their selectmen or other duly authorized officers, are hereby authorized to enter into an agreement with the said corporation for a supply of water for any and all purposes specified in this act, upon such terms and conditions, and for such times as the said town or village corporation and the said corporation may agree upon; and the payment of any tax which may be assessed upon the property or franchise of the said corporation by the said town of Jonesport, or any village corporation organized therein, may be included as a part of the consideration for supply of said water, provided the said town of Jonesport or any village corporation therein so vote. And the said town of Jonesport, or any village corporation therein may raise money for this purpose in the same manner as for other town or village corporation charges.

—town and village may contract for water.

—payment of any tax may be included as a part of consideration.

Section 7. Said corporation shall have the power to cross any water course, railways, or private ways, private or public sewers, or change the direction of such sewers when necessary, for the purpose of its incorporation, but in such a manner as not to obstruct or impair the use thereof; and the said corporation shall be liable for any injury caused thereby. Whenever the said corporation shall lay pipe in any street, highway, or way, 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 pavements to be placed in proper condition. In case of failure to agree with any railroad company as to the place, manner or condition of crossing its railroad with such pipes or aqueducts, the place, manner and conditions of such crossings, shall be determined by the railroad commissioners, and all work within the limits of the railroad location and lands shall be done under the supervision of the officers and agents of the railroad company, but at the expense of the said corporation.

May cross any water course, ways or sewers, but shall not obstruct use.

—liable for any injury.
—shall not obstruct public travel.

—manner of crossing any railroad shall be determined by commissioners.

Section 8. The capital stock of said corporation shall be twenty thousand dollars, which may be increased to any sum not exceeding fifty thousand dollars by a vote of said corporation; such capital stock shall be divided into shares of one hundred dollars each.

Capital stock

Section 9. Said corporation, to aid in the construction of its works of any and all kinds, is hereby authorized to issue its bonds in such terms and amount and on such time and rates, as it may deem expedient; not exceeding in the aggregate the amount of

May issue bonds and mortgage property.

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capital stock authorized and issued; and may secure the same by mortgage or mortgages on the franchise and property of said corporation.

First meeting,
how called.

Section 10. The first meeting of the said corporation shall be called by a written notice thereof, signed by any two of the corporators named herein, served upon each corporator 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 said meeting.

Approved March 21, 1901.

Chapter 458.

An Act to amend the charter of the Northport Wesleyan Grove Campmeeting Association.

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

Chapter 319,
special laws
1878,
amended.

Section 1. Chapter three hundred and nineteen of the private and special laws of the state of Maine for the year eighteen hundred and seventy-three, being an act to incorporate the Northport Wesleyan Campmeeting Association, is hereby amended so that all the words of section one of said act beginning with "George Pratt" and ending with "successors" and all words intervening be stricken out and the following words inserted: 'Isaac H. W. Wharff, Henry B. Dunbar, Frank H. Nickerson, Norris E. Bragg, Gardner L. Farrand, Nathan A. Nickerson and Thomas F. Jones, trustees, their associates and successors, the preachers of the East Maine Conference, of the Methodist Episcopal church, their associates and successors, with one representative from each Methodist Episcopal church or society having a society cottage or lot on the campground, also representatives from the owners of private cottages to the number of one-fourth of the number of the Methodist Episcopal church or society cottages or lots on campground, said representatives to be selected as set forth in section two of this act, "are hereby constituted a body" etc.' And after the words "fifty thousand dollars," insert 'to build and maintain streets, paths, walks, by-ways, parks, and sewers for the draining of cottages and lands situated within the bounds of the land of said association, and full power to control the same, with full control over the laying of all pipes for furnishing water or gas, and setting poles for supplying electricity for any purpose whatsoever, and also full control of establishing all electric railroads within the bounds of the property of said association.'

—trustees.