

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 145.**

An Act to extend the charter of the Old Orchard Trust and Banking Company.

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

Section 1. The rights, powers and privileges of the Old Orchard Trust and Banking Company, which were granted by chapter three hundred and forty-nine of the private and special laws of nineteen hundred and one, are hereby extended for two years from the approval of this act; and the persons named in said act, their associates and successors, shall have all the rights, powers and privileges that were granted them by said act, to be exercised in the same manner and for the same purposes as specified in said act.

Charter extended.

Section 2. This act shall take effect when approved.

Approved March 11, 1903.

**Chapter 146.**

An Act to incorporate the Tyngstown Water Company.

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

Section 1. F. J. Goodspeed, Herman Sanborn and C. N. Blanchard of Wilton with their associates and successors, be and are hereby made a corporation under the name of the Tyngstown Water Company, for the purpose of supplying the inhabitants of the town of Wilton 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.

Corporators.

—corporate name.

—purposes.

—liabilities.

Section 2. The place of business of said corporation shall be at Wilton, in the county of Franklin and state of Maine.

Location.

Section 3. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from Wilson lake, Varnum pond, or from any spring in actual use for domestic purposes or any pond, brook or other waters in the town of Wilton, or from Hills pond in Perkins plantation, to conduct and distribute the same into and through the said town of Wilton; 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.

May take water in town of Wilton and in Perkins plantation.

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May lay  
pipes.

Section 4. The said corporation is hereby authorized to lay, construct and maintain its lines of pipe in Perkins plantation, Washington plantation and in the town of Wilton, 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 purpose of 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 hereby.

May  
construct  
under  
highways, etc.

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 damage to the said town, and to all corporations, persons and property, occasioned by such use of the highway, ways and streets.

—liabilities.

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 placed in proper condition.

May take  
land for  
flowage, etc.

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.

—may make  
surveys.

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 Franklin, 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.

—width of  
location  
limited.

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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 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 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 judgment 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. 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.

Damages, how assessed.

—non-payment of damages, after 90 days invalidates location.

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 expiration of the time of payment and a tender by said company may be made with the same effect as in the preceding section.

Damage by taking of water, how assessed.

Section 9. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Franklin, the town of Wilton 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 corporation 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

May make contracts for supply of water.

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agree upon, which when made, shall be legal and binding upon all parties thereto.

Corruption  
of water  
supply.

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

--penalty.

Capital stock.

Section 11. The capital stock of the said corporation shall be twenty-five 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.

May hold real  
and personal  
property.

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

May issue  
bonds.

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 subscribed for, and secure the same by mortgage of its franchise and property.

--may  
mortgage its  
property.

First meeting,  
how called.

Section 14. The first meeting of the corporation shall be called by a written notice therefor, 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 the county of Franklin.

Purchase of  
system after  
20 years,  
authorized.

Section 15. At any time after twenty years from the date of the approval of this act the town of Wilton, or any village corporation within the limits of said town of Wilton, if its inhabitants shall so vote, by a two-thirds vote, at a legal meeting called therefor, shall have the right to purchase the system of water works constructed by this company in said town for supplying said town and the inhabitants thereof, together with the franchises of this company relating thereto, at a price to be agreed upon between said company and said town or village corporation; and if such price cannot be agreed upon, then at a price, which shall be determined by a commission of three competent and disinterested men, one of whom shall be selected by said company, one by said town of Wilton, or by said village corporation, and the third by the two so selected if they can agree, if not, then by the chief justice of the supreme judicial court of Maine. The

--price, how  
fixed.

award of said commissioners, not less than cost, shall be binding upon said company and said town, or village corporation, and said town or village corporation shall pay the amount of said award for said system of water works and franchises within ninety days from the date when such award shall be rendered. The costs of said commission shall be borne equally by the said company and said town or village corporation.

--costs, how borne.

Section 16. This act shall take effect when approved.

Approved March 11, 1903.

### Chapter 147.

An Act to provide blanks, books and stationery for the Dover Municipal Court.

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

Section 1. It shall be the duty of the county commissioners of the county of Piscataquis to furnish and provide at the expense of the county, all books, blanks, and all necessary stationery and supplies required for the use of the Dover Municipal Court in the town of Dover, in the transaction of the civil and criminal business of said court, including proper books for the record of all cases arising in said court, at a cost not exceeding one hundred dollars per year.

Books, blanks, etc., to be supplied for use of court.

Section 2. All acts or parts of acts, conflicting with this act, are hereby repealed.

Repeal of conflicting acts.

Section 3. This act shall go into effect on the first day of April in the year of our Lord one thousand nine hundred and three.

When act shall take effect.

Approved March 11, 1903.

### Chapter 148.

An Act to amend Chapter two hundred and twenty-seven of the Private and Special Laws of eighteen hundred and eighty, entitled, "An Act to supply the people of Houlton with pure water," as amended by Chapter four hundred and ninety-seven of the Private and Special Laws of eighteen hundred and eighty-nine.

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

Section 1. Section one of said chapter two hundred and twenty-seven is hereby amended by adding thereto at the end of said section the following:

Section 1 of chapter 227, amended.