

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIRST LEGISLATURE
OF THE
STATE OF MAINE
1903.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1903

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 176

lands before rendition of final judgment the land owner may require said company to file its bond with said commissioners in such sum and with such securities as they may approve, conditioned for such payment or deposit; failure to apply for damages within the said three years by said land owner shall be held to be a waiver of the same. No action shall be brought against such company for such taking and occupation of land until after such failure to pay or deposit.

—failure to
apply for
damages for
three years,
held a waiver.

Established
locations
confirmed.

Section 14. The locations of rails, posts, wires and fixtures within the limits of any street, road or way, as now established by any or all of the street railroad companies, authorized to sell their properties and franchises under this act, are hereby confirmed and made valid.

Rights and
privileges.

—restrictions.

Section 15. The said Atlantic Shore Line Railway shall, except as modified by this act, have all the rights and privileges conferred by general law upon street railroad corporations, and be subject to the conditions, restrictions and limitations thereby imposed.

Section 16. This act shall take effect when approved.

Approved March 13, 1903.

Chapter 176.

An Act to incorporate the Hancock Water, Light and Power Company.

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

Corporators.

—corporate
name.

Section 1. George H. Grant, Isadore L. Halman and John S. Sanger, their associates, successors and assigns, are hereby made a corporation under the name of the Hancock Water, Light and Power Company.

Capital stock.

—may hold
real and
personal
estate.

Section 2. The capital stock of said corporation shall not be less than twenty-five thousand dollars divided into shares of twenty-five dollars each. The capital stock may by vote of the corporation be increased to two hundred and fifty thousand dollars. Said corporation is authorized to hold such real and personal estate as may be necessary and proper for the purposes of its incorporation.

Purposes.

Section 3. The purposes of said corporation shall be to supply water for public and private use, and for any and all purposes in the town of Hancock in Hancock county; to generate and supply light by electricity, gas or otherwise for public and private use, and for any and all purposes in the towns of Hancock and Sullivan, in said county; and to generate, sell, distribute

tribute and supply electric or other power for any and all purposes in the aforesaid towns of Hancock and Sullivan.

Section 4. Said corporation is hereby authorized for the purposes aforesaid, to erect and maintain dams, reservoirs, filters and standpipes; and to lay and maintain pipes and aqueducts necessary or proper for accumulating, storing, conducting, discharging, distributing, disbursing, supplying and selling water; said corporation may take and hold by purchase or otherwise any real estate necessary therefor, and may take, store and use the water of any river, stream, lake, pond, spring or well in the town of Hancock, and may excavate through any lands when necessary for the purposes of the corporation.

May erect
dams,
reservoirs,
etc.

—may lay
pipes.

Section 5. Said corporation is hereby authorized for the purposes aforesaid, to carry on the business of lighting by electricity, gas or otherwise, the public streets and such buildings and places in the towns of Hancock and Sullivan aforesaid, both public and private, as may be agreed upon by said corporation, and the owners, or those having control of such places, to be lighted; and may furnish motive power by electricity or otherwise within said towns, and may build, maintain and operate works, plants and manufactories for the purposes of generating, providing, supplying and selling electricity, gas or other light and power of any kind, and may take and hold by purchase or otherwise any real estate necessary therefor, and may construct, lay, erect, maintain and operate pipe lines, or lines of wire, or other material, and poles and wires for the transmission of gas, electricity and power, any or all of them, upon, under, along and over any and all streets and ways in the towns of Hancock and Sullivan.

May furnish
light in towns
of Hancock
and Sullivan.

—may furnish
power by
electricity.

Section 6. Said corporation is hereby authorized to lay down in and through the streets and ways of the said town of Hancock, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of its incorporation under such reasonable restrictions as may be imposed by the selectmen of said town, and said corporation shall be responsible for all damage to persons and property occasioned by its use of such streets and ways, and shall further be liable to pay to said town all sums recovered against it for damages from obstructions caused by said corporation.

May lay
pipes in town
of Hancock.

—damages by
use of streets.

Section 7. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of water, land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs and also damages for any other injuries resulting from said acts; and if any person sustain-

Damages for
land taken.

CHAP. 176

—appeal.

May make
contracts for
light, heat
and power.—towns of
Hancock and
Sullivan may
contract for
light, etc.May cross
sewers.Proceedings
when land,
water or
other
property is
taken.

ing damage as aforesaid, and said corporation cannot mutually agree upon the compensation to be made therefor, either party on petition to the county commissioners of Hancock county may have the damages assessed by them; and subsequent proceedings and rights of appeal shall be had in the same manner, and under the same conditions, restrictions and limitations as are by law provided in case of damages by the laying out of highways.

Section 8. The said corporation is hereby authorized to make contracts with the United States, the state of Maine and the town of Hancock and with corporations and inhabitants of said town for the purpose of supplying water, light and power as contemplated by this act; and with the town of Sullivan and with corporations and inhabitants of said town for the purpose of supplying light and power as contemplated by this act. And the said towns of Hancock and Sullivan, through its selectmen, are hereby authorized to enter into contracts with said corporation for the purpose of supplying light and power, and, in the case of the town of Hancock, water, as contemplated by this act; and also for such exemption from public burden as the said towns, or either of them, and said corporation may agree upon, which when made shall be legal and binding upon all parties thereto.

Section 9. Said corporation shall have power to cross any public or private sewer, or to change the direction thereof when necessary for the purposes of said corporation, but in such a manner as not to obstruct or impair the use thereof, and said corporation shall be liable for any injury caused thereby. Whenever said corporation shall lay down any pipes in any street, or make any alteration or repairs upon its works in any 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 removed to be replaced in proper condition.

Section 10. When said corporation shall take any water, land or other property under the powers herein granted it shall cause a statement of such waters, and a description of such land, or other property, with a plan thereof to be filed in the registry of deeds for Hancock county, and within ten days of such filing a copy of such statement or description shall be published three weeks successively in some public newspaper printed in Ellsworth in said Hancock county. Such water, land or other property shall be deemed to have been taken at the date of such filing. The corporation shall take no water, land, or other property, until such filing of statement or description, but may make all needful explorations and surveys on any land or water in said towns prior to such filing.

CHAP. 177

Section 11. Said corporation may issue its bonds for the construction of its works upon such rates and terms as it may deem expedient not exceeding one hundred thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds.

Section 12. The lease for nine hundred ninety-nine years from the Hancock Point Water Company, a corporation created by act of the legislature of Maine approved February one, eighteen hundred eighty-seven, to George H. Grant of all its franchises, plant, real and personal property, said lease being dated May eleven, nineteen hundred one, is hereby ratified and made valid; and the said George H. Grant is hereby authorized to assign and convey to the corporation hereby created all and the same property and property rights acquired by him under and by virtue of said lease from the Hancock Point Water Company, and the said corporation hereby created may thereafter have, hold and exercise all the rights, titles, privileges and advantages heretofore held or enjoyed by the Hancock Point Water Company and leased to said Grant as fully and effectually as if originally granted to and held by said corporation hereby created; but expressly subject to all the terms, restrictions, limitations and conditions as set forth in the aforesaid lease from the Hancock Point Water Company to George H. Grant.

Lease from Hancock Point Water Company, confirmed.

—terms, restrictions, etc.

Section 13. The first meeting of said corporation may be called by a public notice published in the Ellsworth American five days before the day of meeting, said call to be signed by any one of the corporators herein named.

First meeting, how called.

Section 14. This act shall take effect when approved.

Approved March 17, 1903.

Chapter 177.

An Act relating to the Fryeburg Electric Light Company.

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

Section 1. The organization of the Fryeburg Electric Light Company under the general law of the state is hereby ratified and confirmed.

Organization ratified and confirmed.

Section 2. Permission is hereby given to said company to exercise its corporate powers of making, generating, selling, distributing and supplying gas or electricity or both for lighting, heating, manufacturing and mechanical purposes within the town of Fryeburg, county of Oxford, provided said corporation

May exercise corporate powers in Fryeburg.

—proviso.