

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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. 267

Annual
meeting.—first
meeting, how
called.Damages for
carrying out
provisions of
this act, how
recovered.

Section 10. The annual meeting of the corporation until otherwise provided, shall be held in the town of Rumford or Andover, in the county of Oxford, and the manner, place and time of calling annual and special meetings of the company and meetings of the directors may be determined by a vote of the company, at any meeting thereof. The first meeting of the company for the purpose of the acceptance of this act and for the organization of the same may be called at Rumford Falls by any associate named herein, on giving at least seven days' notice of the time and place of said meeting.

Section 11. Any person or corporation sustaining any damage by reason of the carrying out the provisions of this act shall be entitled to recover and receive the same in the manner as is now or may hereafter be provided by law, for recovering damages in the laying out of highways.

Section 12. This act shall take effect when approved.

Approved March 25, 1903.

Chapter 267.

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

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

Corporators.

—corporate
name.

Location.

Business of
the company.May take
water in
Buckfield,

Section 1. Horace A. Irish, Osborne McConathy, Cyrus M. Irish, Isaac W. Shaw, Ralph H. Morrill and Frederick R. Dyer, or such of them as shall vote to accept this charter, with their associates, successors and assigns are hereby made a body corporate by the name of the Buckfield Water, Power and Electric Light Company, and as such shall possess all the powers and be subject to all the duties and obligations conferred and imposed on corporations by law, except as otherwise provided herein.

Section 2. The place of business of said corporation shall be at Buckfield, in the county of Oxford and state of Maine and its business shall be confined to the town of Buckfield.

Section 3. The business to be carried on by said company shall be to furnish water for the extinguishment of fires and for domestic, sanitary and municipal uses, to said village of Buckfield and vicinity and the inhabitants thereof, to create, sell and lease water power for manufacturing purposes, to furnish electric lights for lighting streets of said village and to dispose of electric light to individuals and corporations.

Section 4. Said company is hereby authorized, for the purposes aforesaid, to take, detain and use the water of North pond

CHAP. 267

Hartford and
Sumner.

in Sumner and Buckfield, Swan pond in Hartford, or any other suitable source of water supply in the towns of Buckfield, Hartford and Sumner in said Oxford county and to erect and maintain reservoirs and dams, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said company may take and hold by purchase or otherwise any lands or real estate necessary therefor, and may excavate through any lands, when necessary for the purposes of this incorporation. Provided however that should this company take water from said North pond it shall, in consideration thereof, build and maintain a good and sufficient dam of a height sufficient to hold the reasonable flowage of said pond.

—may
maintain
dams, lay
pipes, etc.

—proviso.

Section 5. Said company is authorized to erect and maintain a dam or dams across North Pond brook, so called, at a point or points between North pond and the west branch of Nezinscot river in said Buckfield.

Dam across
North Pond
brook.

Section 6. Said company is further authorized to cut and maintain canals from said dam or dams, and for the purpose of constructing a dam or dams 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 stream and dig up any land in said stream when necessary.

May cut
canals.—may take,
occupy and
enclose lands

Section 7. Said company is hereby authorized to lay down pipes, and to set poles and extend wires in and through the streets and ways in said town of Buckfield, and to take up, replace and repair all such pipes, aqueducts, poles and fixtures as may be necessary for the purposes of this incorporation, under such reasonable restrictions as may be imposed by the selectmen of said town, and all provisions of this act relating to the construction, repairs, maintaining or operating works for furnishing electric light shall be subject to the provisions of chapter three hundred seventy-eight of the public laws of eighteen hundred and eighty-five.

May lay
pipes, set
poles, and
extend wires.

—restrictions.

Section 8. Said company shall have power to cross any water course, public or private sewer, or to change the direction thereof for the purposes of this incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for all injury thereby. Whenever said company shall lay down any fixture 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

May cross
sewers, etc.—shall not
unnecessarily
obstruct
travel.

CHAP. 267

its own expense, without unnecessary delay, cause the earth then removed by it, to be replaced in proper condition.

May cross
Nezinscot
river with
pipes.

Section 9. Said company is authorized to lay and maintain its pipes in, under and over the Nezinscot river and to build and maintain all necessary structures therefor.

Liability for
damages.

Section 10. Said company shall be held liable to pay all damages that may be sustained by any persons by taking 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 any lands necessary for flowage, by setting posts and extending wires, and for any other injuries resulting from said acts, and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damage by laying out of railroads.

May contract
to supply
water and
electric light.

Section 11. Said company is authorized to make contracts with the said town of Buckfield, with any village corporation that now, or hereafter may exist in said town, and with other corporations and individuals for the purpose of supplying water or electric light as contemplated by this act; and said town, by their selectmen, and said village corporation, by their assessors, are hereby authorized to enter into contracts with the said company for the supply of water and electric lights, and for such exemption from public burden as said town and said corporation and said company agree upon, which when made, shall be legal and binding upon all parties thereto. Said company is authorized to sell or lease any water not used by it on the dams aforesaid.

Capital stock.

Section 12. 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.

Section 13. 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, as it may deem expedient, and secure the same by mortgage of its property and franchises.

First meeting,
how called.

Section 14. The first meeting of said company shall be called at Buckfield 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.

Section 15. This act shall take effect when approved.

Approved March 25, 1903.

Chapter 268.

An Act to Incorporate the South Branch Moose River Dam Company.

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

Section 1. Chauncey S. Skinner, Dean C. French and Carl D. French, their associates and assigns, are hereby incorporated under the name of the South Branch Moose River Dam Company, with all the powers and privileges of similar corporations.

Corporators.

—corporate name.

Section 2. Said company is hereby authorized to erect, purchase and maintain dams, side dams and piers on the South Branch of Moose river and its tributaries in Township one, Range seven, west of Bingham's Kennebec Purchase and in Lowelltown, so called, in the county of Franklin, and to widen, deepen and otherwise improve the same for the purpose of raising a head of water and of facilitating the driving of logs and lumber upon the same.

Powers.

Section 3. Said company for the above purposes may take all necessary land and materials for building said dams and piers and making improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors for the land and materials so taken; such damages shall be ascertained and determined by the county commissioners of the county of Franklin, in the same manner and under the same conditions and limitations as provided by law in the case of damage by laying out of highways; and for the damage occasioned by flowing land said company shall not be liable to an action at common law, but the person injured may have a remedy by complaint for flowage, in which case the same proceedings shall be had as when a complaint is made under the statutes of this state for flowing lands occasioned by raising a head of water for the working of mills.

May take land and materials.

—may flow lands.

—proceedings for damages when parties cannot agree.

Section 4. Said company may demand and receive tolls for the passage of all logs and lumber over their dams and improvements as follows: For all logs and lumber landed in said South Branch above the upper dam, so called, a sum not exceeding

Tolls for passage of logs.