

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE
OF THE
STATE OF MAINE
1905.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1905

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 107

—deposits
for care of
lots, how kept
or expended.

subsequently purchased; also to provide for the perpetual care of the monuments and stones upon such lots, or those hereafter erected. The funds received for such purposes shall be deposited in banking or trust companies in the name of the corporation, and such deposits shall be so arranged as to identify the person from whom such fund is received, and such moneys shall be expended strictly in accordance with the agreement under which the same are received and held.

Section 4. This act shall take effect when approved.

Approved February 28, 1905.

Chapter 107.

An Act to incorporate the Stockton Springs Water Company.

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

Corporators.

—corporate
name.

—purposes.

Section 1. H. R. Hichborn, S. B. Merrithew, A. M. Ames, their associates, successors and assigns, are hereby made a corporation by the name of the Stockton Springs Water Company, for the purpose of supplying the town of Stockton Springs, in the county of Waldo, and the inhabitants of said town, with pure water for domestic, sanitary and municipal purposes, including extinguishment of fires.

May have
storage
basins, etc.

Section 2. Said company, for said purposes, may retain, collect, take, store, use and distribute water from any springs, except such springs as are in actual use for domestic purposes, ponds, streams, or other water sources, in said Stockton Springs, or from Boyd's pond in Searsport, and may locate, construct and maintain cribs, reservoirs, aqueducts, gates, pipes, hydrants and all other necessary structures therefor.

May lay
pipes, etc.

Section 3. Said company is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets and bridges in said towns, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of its corporation, so as not to unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said towns may impose. Said company is hereby authorized to lay, construct and maintain its pipes across the location of any railroad, and all work within the limits of the railroad location shall be done under the supervision and to the reasonable satisfaction of the chief engineer of the railroad company. It shall be responsible for all damages to persons and property

—may cross
location of
railroads.

—shall be
responsible
or damages.

occasioned by the use of such highways, ways, streets, and shall further be liable to pay to said towns all sums recovered against said towns for obstruction caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

Section 4. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and it shall be liable for any injury caused 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 its own expense, without unnecessary delay, cause the earth and pavements there removed by it to be replaced in proper condition.

May cross
or change
direction
of water
courses, etc.

—shall not
unnecessarily
obstruct
public travel.

Section 5. Said company may take and hold any waters as limited in section two and also any lands necessary for reservoirs, and other necessary structures, and may locate, lay and maintain aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and location, and shall file in the registry of deeds for said county of Waldo, plans of such location and lands, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than one rod in width of land shall be occupied by any one line of pipe or aqueduct.

May take and
hold lands
for certain
purposes.

—shall file
plans of
location and
publish notice
of such filing.

—limitation.

Section 6. Should the said company and the owner of such land so taken be unable to agree upon the damages to be paid for such location, taking, holding and construction, the damages shall be assessed in accordance with the law applicable to the assessment of damages for ways taken by railroads, so far as such law is consistent with the provisions of this act. If said company 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

Damages,
how assessed.

CHAP. 107

county, the said location shall be thereby invalid, and said company forfeit all rights under the same as against such land owner. Said company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered him by said company, he shall recover costs, otherwise said company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners, in such sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid. Failure to apply for damages within three years by the land owner, shall be held to be a waiver of the same.

Section 7. 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 make
contracts.

Section 8. Said corporation is hereby authorized to make contracts with the United States, and with corporations, and inhabitants of said town of Stockton Springs, or any village corporation therein for the purpose of supplying water as contemplated by this act; and said town of Stockton Springs by its selectmen, or such village corporation by its assessors, is hereby authorized to enter into contract with said company for a supply of water for public uses, on such terms and for such time as the parties may agree, which when made, shall be legal and binding on all parties thereto, and said town of Stockton Springs for this purpose may raise money in the same manner as for other town charges.

Capital stock.

Section 9. The capital stock of said company shall be one hundred thousand dollars, and said stock shall be divided into shares of twenty-five dollars each.

May hold
property to
the value
of \$200,000.

Section 10. Said company for all of its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount two hundred thousand dollars.

May issue
bonds.

Section 11. Said company 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 in

all the capital stock of said corporation subscribed for, and secure the same by mortgage or mortgages of the franchise and property of said company.

Section 12. The first meeting of said company may be called by a written notice thereof, signed by any corporator herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First
meeting, how
called.

Section 13. This act shall become null and void in two years from the day when the same shall take effect, unless said company shall have organized and commenced actual business under this charter.

Limitation
of charter.

Section 14. This act shall take effect when approved.

Approved February 28, 1905.

Chapter 108.

An Act to authorize James Crawford and his associates to erect and maintain piers and booms in the Saint John River in the town of Grand Isle.

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

James Crawford of Van Buren and Florent Sanfacon of Grand Isle; George C. Cutler and Fred E. Cutler of Boston, Massachusetts; John L. Cutler of New York City, New York; and Robert England of Cabano, Province of Quebec, and their associates, successors and assigns, are hereby authorized to build and maintain piers and booms in the Saint John river in the town of Grand Isle from the upper or northwesterly line of lot one hundred and eighty-eight down to a point situated opposite the lower or southeasterly line of lot numbered one hundred and ninety-six in said town, to be used in connection with a mill or mills to be hereafter built by them and for the purpose of sorting and holding logs and lumber to be manufactured at said mill or mills.

Corporators.

—may build
and maintain
piers and
booms.

Approved February 28, 1905.