

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 173

Other corporations may hold stock in.

First meeting, how called.

Acceptance of this act.

Section 9. Manufactories and other business corporations doing business in said Fort Kent are hereby authorized to subscribe for and hold stock in said company.

Section 10. Any two of the corporators named in this act may call the first meeting of the corporation by mailing a written notice, signed by both, postage paid, to each of the corporators, seven days at least before the day of the meeting, naming the time, place and purpose of said meeting; a president, secretary and directors may be chosen, by-laws adopted, and any corporate business transacted.

Section 11. This act may be accepted at any regular meeting of said association by a majority of the members present.

Section 12. This act shall take effect when approved.

Approved March 8, 1905.

Chapter 173.

An Act to incorporate the Milo Water Company.

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

Corporators.

--corporate name.

Purposes.

Authorized to erect dams, etc.

--to accumulate water, etc.

--to take and hold real estate.

May lay down pipes, etc.

Section 1. W. A. Johnson, W. F. Dutch, M. L. Durgin, E. C. Moores and W. S. Owen, their associates and successors and assigns, are hereby made a corporation under the name of the Milo Water Company.

Section 2. 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 Milo, in Piscataquis county, and to construct, maintain and operate a system of sewers and drainage in and for said town.

Section 3. Said corporation is hereby authorized for the purposes aforesaid to erect and maintain dams, reservoirs, filters, and standpipes, and to lay and maintain pipes, aqueducts and conduits necessary and proper for accumulating, storing, conducting, discharging, distributing, disbursing, supplying, and selling water, or for carrying, collecting, discharging and disposing of sewerage matter and waters; said corporation may take and hold by purchase or as for public uses, 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 Milo or Sebec, and may excavate through any lands when necessary for the purposes of the corporation.

Section 4. Said corporation is hereby authorized to lay down in and through the streets and ways in the said town of Milo, and to take up, replace and repair all such pipes, aqueducts, con-

duits, hydrants and fixtures, as may be necessary for the purposes of its incorporation; to carry and lay any conduits, aqueducts and pipes under any watercourse, public or private way, or railroad in said town, in the manner prescribed by law, and to cross any sewer or drain, or, if necessary, to change its direction in such manner as not to obstruct the use thereof; and to enter and dig up any such street, road or way for the purpose of laying pipes, conduits, or aqueducts beneath the surface thereof, for placing man holes, hydrants, or other fixtures, and for maintaining and repairing the same, under such reasonable restrictions as may be imposed by the selectmen of said town, and said corporation shall be responsible for all damages to persons or property occasioned by its use of such streets or 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 cross
sewers, etc.

--may place
man holes,
etc.

--liability for
damages.

Section 5. When the corporation shall take any water, land, easement, or other property under the powers herein given, it shall file a statement in the registry of deeds for Piscataquis county, with a plan and description of such water, land, easement, or property, and within ten days thereafter shall publish notice of such filing in some newspaper printed in said county three weeks successively, and may file a statement of the damage it is willing to pay for any property so taken, and if the amount finally awarded exceeds that sum, the owner shall recover costs from the corporation, otherwise, the corporation shall recover costs against the owner. Said corporation shall be liable to pay all damages that shall be sustained by any person in his property by the taking of any water, land, easement or property under the provisions of this act; and if any person sustaining damages as aforesaid and said corporation shall not 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 and limitations as are by law prescribed in the case of damages by the location of railroads, with the provisions as to costs as hereinabove mentioned.

Shall file plan
of lands, etc.,
taken.

may file
statement of
damages it is
willing to
pay.

--liability
for damages.

--damages,
how
ascertained.

Section 6. Any person who shall place or leave any offensive or injurious matter or materials on or in the pipes, conduits, aqueducts, standpipes, reservoirs, catch basins, fixtures, or any other property held, owned, or used by said corporation for the purposes of this act, shall pay twice the amount of damages to said corporation to be recovered in any proper action, and every such person on conviction of either of such acts of wilful injury as aforesaid, shall be punished by fine not exceeding two hundred dollars, and by imprisonment not exceeding one year.

Pollution of
water by any
person
forbidden.

--damages for
pollution
of water.

--penalty for
wilful
pollution.

CHAP. 173

Capital stock.

Section 7. The capital stock of said corporation shall be ten thousand dollars, and shall be divided into shares of twenty-five dollars each. The capital stock may by vote of the corporation be increased to fifty thousand dollars. Said corporation is authorized to hold such real and personal estate as is necessary and proper for the purposes of its incorporation.

--may hold
real and
personal
estate.

Board of
directors.

Section 8. The affairs of said corporation shall be controlled by a board of directors, consisting of not less than three members, who shall be citizens of the town of Milo, and elected annually by vote of the stockholders of the company, and such board of directors shall choose such other officers as may from time to time be required by the by-laws of the corporation.

Proceedings
if town
desires to
take over
works of
company.

Section 9. Should the town of Milo, at a meeting duly called for the purpose, vote to take over the works of said company, and at any time subsequent to the first day of January, in the year of our Lord nineteen hundred and ten, inform the said company of its intention to take over the said works, then, and in that case, the company will within sixty days after the receipt of said intention of said town, and upon the tender of the fair market value at the time of the said works, including all the rights and franchises of the company, convey and make over to the said town, the said water and sewer works and systems in their entirety as they then exist, and make, execute, acknowledge, and deliver such deeds, conveyances, transfers, or other instruments as may be necessary to secure to said town all and every right, title, and interest, whether in law or in equity, which the said company may have in said water or sewer works or systems.

--tender.

Works to be
taken over at
fair market
value.

Section 10. Should said water and sewer works and systems be taken over by the town as aforesaid, the consideration to be paid by the town therefor shall be the fair market value of said works at the time of taking, including the rights and franchises of the company, as may be agreed upon by the parties thereto. And should said parties be unable to agree upon the amount, the same shall be left for the determination of three persons to be chosen as follows: one by the town, one by the company, and the third, who shall be a person learned in the law and a resident of Piscataquis county, shall be appointed by the chief justice of the supreme court, and the finding of the aforementioned three parties shall be final and conclusive in the matter as between the parties.

--arbitration
board.

May issue
bonds.

Section 11. Said corporation may issue bonds for the construction of its works, upon such rates and terms as it may deem expedient, not exceeding twenty-five thousand dollars, and secure the same by mortgage of its franchises and property.

CHAP. 174

May make
contracts.

Section 12. Said corporation may make contracts with any person, partnership, or corporation, or with the town of Milo, for the purposes mentioned in the powers above mentioned, and may make such reasonable charge for water for public or private use, or for entering into their sewer system with private drains or sewers as they may deem advisable.

Section 13. This act shall take effect when approved.

Approved March 8, 1905.

Chapter 174.

An Act to extend the charter of the Lily Water 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 Lily Water Company, which were granted by chapter one hundred and two of the private and special laws of nineteen hundred and three, 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.

Lily Water
Company,
charter
extended.

Section 2. This act shall take effect when approved.

Approved March 8, 1905.

Chapter 175.

An Act to change the name of Lower Stone Pond to Lake Keewaydin.

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

That the name of the pond heretofore known as Lower Stone pond situated in the town of Stoneham, Oxford county, be, and the same hereby is changed from Lower Stone pond to Lake Keewaydin.

Lower Stone
pond, name
changed.

Approved March 8, 1905.