

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.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

CHAP. 236

then it shall be published in a newspaper printed in the nearest city or town.

Notice of first meeting, how called.

Section 16. Any three of the corporators named in this act may call the first meeting of the corporation by mailing a written notice signed by said three corporators, postage paid, to each of the other corporators, seven days at least before the day of the meeting, naming the time, place and purpose of such meeting, and at such meeting the necessary officers may be chosen, by-laws adopted and any other corporate business transacted.

Section 17. This act shall take effect when approved.

Approved March 17, 1905.

Chapter 236.

An Act to incorporate the Jackman Water Company.

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

Corporators.

Section 1. H. L. Colby, P. L. Colby and E. M. Colby, with their associates and successors, are hereby made a corporation, under the name of the Jackman Water Company, for the purpose of supplying the inhabitants of Jackman, Moose River and adjoining plantations with suitable water for industrial, manufacturing, domestic, sanitary and municipal purposes, including the extinguishment of fire; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

—corporate name.

—purposes.

authorized to take water from certain sources.

—to dis-tribute same.

—to maintain dams, etc.

Section 2. For any of the purposes aforesaid, the said corporation is hereby authorized to take and use water from the lakes, ponds, rivers, streams, springs or other waters in the plantations of Jackman, Moose River and any adjoining plantations; to conduct and distribute the same into and through any of the said plantations; and to survey for, locate, construct and maintain suitable and convenient dams, reservoirs, buildings, machinery, lines of pipes, aqueducts, structures and appurtenances.

Authorized to lay pipes, etc.

Section 3. The said corporation is hereby authorized to lay, construct and maintain its lines of pipe under, in and over any river or other stream of water in the said plantations or any adjoining plantation, and to build and maintain all necessary structures therefor, at such places as may be necessary for the said purposes of the said corporation; and to cross any water course, private or public sewer, or to change the direction thereof, where necessary for the said purposes of the said cor-

poration, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury or damage caused thereby.

Section 4. 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 plantations named in section two of this act, and to take up, replace and repair, all such aqueducts, pipes, hydrants and other structures and fixtures as may be necessary and convenient for the said purposes of said corporation; and said corporation shall be responsible for all damages to the said plantations and to all corporations, persons and property, occasioned by such use of said highways, ways and streets. Whenever the said corporation shall lay down or construct any fixtures 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 replaced in proper condition.

May lay and maintain pipes.

—liability for damages.

—shall not unnecessarily obstruct public travel.

Section 5. The said corporation is hereby authorized to take and hold, by purchase or otherwise, any lands necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, lines of pipe, hydrants 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. And in general to do any acts necessary, convenient or proper, for carrying out any of the said purposes of said corporation. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds for the county of Somerset, plans of such locations 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 two rods in width of land shall be occupied by any one line of pipe or aqueduct.

May take lands for flowage, dams, etc.

—may enter on lands for locations and shall file plans of location.

Section 6. Should the said corporation and the owner of any land required for the said purposes of said corporation, be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may within twelve months after the said filing of plans or location, apply to the commissioners of said county of Somerset, 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 railroads. If the said corporation shall fail to pay such land owner, or deposit for his use with the clerk

Damages, how assessed.

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of the county commissioners aforesaid, such sums 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 the said county, the said location shall be thereby invalid and the said corporation shall forfeit all rights under the same, as against the owner of the land. The said corporation may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than was tendered him by the said corporation, he shall recover costs, otherwise the said corporation shall recover costs. 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 the payment of the damages that may be awarded. 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. Failure to apply for damages within the said twelve months shall be held to be a waiver of the same.

May make contracts to supply water.

Section 7. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Somerset, the plantations named in section two of this act and with the inhabitants of said plantations, or any corporations doing business therein, for the supply of water and power for the purposes contemplated in this act; and the said plantations, by their proper officers, are hereby authorized to enter into contract with the said water company for a supply of water for any and all purposes mentioned in this act, and for such exemptions from public burdens as the said plantations and said water company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

Capital stock.

Section 8. The capital stock of the said water company shall be twelve thousand dollars, which may be increased to any sum not exceeding fifty thousand dollars, by a majority vote of the stockholders of the said water company; and the stock shall be divided into shares of one hundred dollars each.

May hold estate to amount of \$50,000.

Section 9. The said water company for all its purposes, may hold real and personal estate necessary and convenient therefor, to the amount of fifty thousand dollars.

May issue bonds.

Section 10. The said water 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, not to exceed the amount of the capital stock subscribed for, and secure the same by mortgage of its franchise and property.

Section 11. The first meeting of said company may be called by the first incorporator, but failing to do so, either of the others may, by a written notice signed by him stating the time, place and purpose thereof and sent by mail to his associates, at least five days before said meeting.

Section 12. This act shall take effect when approved.

Approved March 17, 1905.

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Notice of first meeting, how given.

Chapter 237.

An Act to incorporate the Union Light and Power Company.

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

Section 1. S. B. Merrithew, F. L. Murray, J. W. Black, A. M. Ames and H. R. Hichborn, their associates, successors and assigns, are hereby made a body corporate by the name of the Union Light and Power Company, with all the powers, rights and privileges and subject to all the duties and obligations conferred and imposed on corporations by law, except as otherwise provided herein.

Corporators.

—corporate name.

Section 2. The purposes of said corporation are the making, generating, selling, distributing and supplying electricity or gas, or both, for lighting, heating, manufacturing or mechanical purposes in the towns of Stockton Springs and Searsport, with all the rights, privileges and powers, and subject to all the restrictions and liabilities by law incident to corporations of a similar nature.

Purposes.

Section 3. The capital stock of said corporation shall be fifty thousand dollars, divided into shares of twenty-five dollars each.

Capital stock.

Section 4. Said corporation is hereby empowered to set poles and extend wires and lay its pipe and construct and maintain its lines in, upon, along, over, across and under the roads and streets in said towns of Stockton Springs and Searsport for the purpose of furnishing electric or gas lights and for heating, manufacturing or mechanical purposes, for public and private use in said towns under such reasonable restrictions as may be imposed by the municipal officers thereof, subject to the general laws of the state regulating the erection of posts and lines and laying pipes for the purposes of electricity or gas.

Empowered to set poles, extend wire; etc.

Section 5. Said corporation is hereby authorized to make contracts with said towns of Stockton Springs and Searsport and with other corporations and individuals for the purpose of supplying electricity or gas for light, heat and power as contemplated by this act, and said towns by their selectmen and other

Authorized to make contracts for supply of light, heat and power.