

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-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.

employed; and said fees for the trial of an issue in civil actions shall be paid by the plaintiff before proceeding with the trial each day, to be taxed in his costs, if he prevails. An accurate account of the fees so received by said judge shall be by him laid before the county commissioners of Penobscot county, and he shall pay the same into the county treasury of said county quarterly on or before the first days of January, April, July, and October of each year. The judge of said court shall receive a salary of six hundred dollars per year, to be paid him in quarterly payments from the county treasury of Penobscot county, which shall be in full for his services as such judge, and he shall receive an additional sum, not to exceed one hundred dollars per year, at the discretion of said county commissioners, to defray the costs of keeping the records of said court and in payment for his expenses in attending upon the sessions of the county commissioners of said county.'

--fees shall be paid into county treasury.

--salary of judge.

--costs for keeping records.

Section 2. All acts or parts of acts conflicting with this section are hereby repealed.

Conflicting acts repealed.

Section 3. This act shall go into effect on the first day of April in the year of our Lord one thousand nine hundred and five.

Approved March 21, 1905.

Chapter 294.

An Act to amend the charter of the Wilton Water Company.

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

Section 1. In addition to the powers conferred upon it by its act of incorporation by chapter two hundred and ninety-three of the private and special laws of eighteen hundred and ninety-five, the Wilton Water Company shall have the following additional rights and powers.

Additional powers conferred.

Section 2. To supply the inhabitants of the town of Wilton and the inhabitants of the villages of North Jay and Bean's Corner in the town of Jay with pure water, sufficient for all municipal, public and domestic purposes, including a sufficient quantity for extinguishing fires, supplying hotels, livery stables and laundries, for sprinkling streets, for running elevators and for motors, providing that such motors shall not be used for manufacturing purposes; and such corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed upon corporations by law, except as herein otherwise provided.

Purposes.

CHAP. 294

Location.

Section 3. The place of business of said corporation shall be at Wilton, in the county of Franklin and state of Maine.

May take water for aforesaid purposes.

Section 4. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from Varnum pond, Wilson lake, or from any spring in actual use for domestic purposes, or any pond, brook or other waters in the town of Wilton, or from Hills pond in Perkins plantation, to conduct and distribute the same into and through the said towns of Wilton and Jay, and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, buildings, machinery, lines of pipe, aqueducts, structures and appurtenances.

--may maintain dams, etc.

May lay lines of pipe.

Section 5. The said corporation is hereby authorized to lay, construct and maintain its lines of pipe in Perkins plantation, Washington plantation and in the towns of Wilton and Jay, and to build and maintain all necessary structures therefor, at such places as shall be necessary for the said purposes of said corporation; and to cross any watercourse, private or public sewer, or to change the direction thereof, when necessary for their said purpose of incorporation, but in such a manner as not to obstruct and impair the use thereof, and the said corporation shall be liable for any injury caused thereby.

--may cross, but shall not impair sewers, etc.

May lay pipes in streets.

Section 6. 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 towns and to take up, replace and repair all such aqueducts, sluices, pipes, hydrants and other structures and fixtures, as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as the selectmen of the said towns may impose; and the said corporation shall be responsible for all damages to the said towns, and to all corporations, persons and property occasioned by such use of the highways, ways and streets.

Shall not unnecessarily obstruct streets.

Whenever the said corporation shall lay down or construct any pipes or fixtures 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 pavement then removed by it to be placed in proper condition.

May take lands for flowage, dams, etc.

Section 7. The said corporation is hereby authorized to take and hold by purchase or otherwise any land necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures and may locate, erect, lay and maintain aqueducts, hydrants, lines of pipes, 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 act necessary, convenient or proper for carrying out any of the said purposes of incorporation. It may enter upon such land to make surveys and locations, and shall file in the registry of deeds in the county of Franklin, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notices 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 more than one line of pipe or aqueduct.

--may enter
on lands for
surveys.

Section 8. Should the said corporation and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding, flowing and construction, the land owner, or said corporation may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Franklin, 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 highways, so far as such law is consistent with the provisions of this act. If said corporation 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 county, the said location shall be thereby invalid, and the said corporation shall forfeit all rights under the same as against such land owner. 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 said judgment or deposits. 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.

Damages,
how
determined.

Section 9. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Franklin, the towns of Wilton and Jay, and with any village corporation in the said towns, and with the inhabitants thereof, or any corporation doing business therein, for the supply of water for any and all the purposes contemplated in this act; and the said towns and any village corporation in the said towns by their proper officers, are hereby authorized to enter into any contract with the said corporation for a supply of water for any

May make
contracts
for supplying
water.

CHAP. 294

and all purposes mentioned in this act, and in consideration thereof, to relieve said corporation from such public burdens by abatement or otherwise as said towns, village corporation, and the said corporation may agree upon, which, when made, shall be legal and binding upon all parties thereto.

Penalty for pollution of water supply, or for injury to works.

Section 10. Whoever shall knowingly or maliciously corrupt the water supply of the said corporation, whether frozen or not, or in any way render such water impure, or whoever shall wilfully or maliciously injure any of the works of the said corporation, shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years, and shall be liable to the said corporation for three times the actual damage, to be recovered in any proper action.

Capital stock.

Section 11. The capital stock of the said corporation shall be twenty-five thousand dollars, which may be increased to any sum not exceeding one hundred thousand dollars, by a majority vote of the stockholders of the said corporation; and the stock shall be divided into shares of twenty-five dollars each.

May hold property to amount of \$300,000.

Section 12. The said corporation for all its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding three hundred thousand dollars.

May issue bonds.

Section 13. The said corporation 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 its capital stock subscribed for, and secure the same by mortgage of its franchise and property.

Acts and doings made valid.

Section 14. All acts and doings of the Wilton Water Company in connection with its charter are hereby declared to be legal and valid.

Inconsistent acts repealed.

Section 15. All private acts and parts of private acts inconsistent with this act are hereby repealed. Provided, however, the repeal of the said acts or parts of acts shall not affect any act done, or any act accruing or accrued.

Section 16. This act shall take effect when approved.

Approved March 21, 1905.