

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 136.

An Act to authorize the town of Southport to build and maintain a bridge across Decker's Cove.

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

Section 1. The town of Southport is hereby authorized to lay out a highway and build and maintain a bridge across Decker's cove in the town of Southport, from a point near a large birch tree on land of E. L. Decker to the highway on the opposite side of the cove. Said bridge shall be constructed and maintained in accordance with the acts of Congress pertaining to bridges and wharves extending over and across tide waters.

Town of Southport authorized to build bridge.

Section 2. This act shall take effect when approved.

Approved February 28, 1907.

Chapter 137.

An Act to incorporate the Kezar Falls Water Company.

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

Section 1. Allen Garner, Leroy F. Pike, E. R. Bachelder, Harvey D. Granville and J. Merrill Lord, their associates, successors and assigns are hereby made a corporation by the name of the Kezar Falls Water 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 provided herein.

Corporators.

—corporate name.

Section 2. The purposes of said corporation are to furnish water for the extinguishment of fires and for municipal, domestic, sanitary and industrial purposes in the towns of Porter and Hiram in the county of Oxford and the town of Parsonsfield in the county of York.

Purposes.

Section 3. The said corporation is hereby authorized for the purposes aforesaid to retain, collect, take, store, use and distribute water from the Mine Pond, so called, in the town of Porter or from any springs, ponds, streams, or other water sources in said towns of Porter, Hiram, and Parsonsfield except Long and Mudget ponds in said Parsonsfield not in use for similar purposes; to erect and maintain cribs, reservoirs, dams, stand pipes, gates, pipes, aqueducts, and other structures necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs

May take water, etc.

—may maintain reservoirs, etc.

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—may lay pipes, etc., through any lands.

—may lay pipes in streets.

Shall be liable for damages.

—damages, how determined.

May enter upon land to make surveys.

—shall file plans of location.

—may file statement of damages.

Shall remove obstructions in streets.

—shall not obstruct sewers.

May make contracts for supplying water.

thereof; to excavate, lay down, replace, repair and maintain its pipes and aqueducts through any lands and to take and hold by purchase or otherwise any lands or real estate necessary for the purposes of this incorporation; to lay its pipes and aqueducts and construct and maintain the same with all necessary fixtures in, upon, along, and under the roads and streets of said towns under such reasonable restrictions as may be imposed by the municipal officers thereof in accordance with the general laws of the state.

Section 4. Said corporation shall be held liable to pay all damages that may be sustained by any person by the taking of land or other property, by excavating through any land for the purpose of laying down pipes and aqueducts, building dams or reservoirs, or the erection of its necessary structures and if any person sustaining damages as aforesaid can not agree with said corporation upon the sum to be paid therefor, his damages shall be assessed in the same manner and subject to the same conditions, restrictions and limitations as is provided by law in the case of damages by the laying out of highways.

Section 5. Said corporation shall have authority to enter upon any land for the purpose of making surveys and locations and shall file in the registry of deeds for the county in which said land is located, plans of the lands and other property to be taken and when so filed such lands and other property shall be deemed and treated as taken; with said plans, said corporation may file a statement of the damages it is willing to pay for any property so taken, and if the amount finally awarded does not exceed that sum, the corporation shall recover costs against such parties, otherwise such parties shall recover costs against said corporation.

Section 6. Said corporation, at its own expense, without unnecessary delay, shall remove any and all obstructions in any street or way made in excavating and laying its pipes and shall cause earth disturbed to be properly replaced. It shall not be allowed to obstruct or impair the use of any public or private sewer, drain or pipe, but may cross, or when necessary, change the direction of any such sewer, drain or pipe in such manner as not to obstruct or impair the use thereof, and shall be responsible to the owner or other persons for any injury caused thereby.

Section 7. Said corporation is hereby authorized to make contracts with said towns and with other corporations and persons for the purposes of supplying water as contemplated by this act, and said towns by their selectmen, and other corporations are hereby authorized to enter into contracts with said company for water and for such exemptions from public burden

as such towns and corporations and said company agree upon, which, when made, shall be legal and binding upon all parties thereto.

Section 8. Said corporation is hereby authorized to acquire and hold by purchase the property, rights, locations, privileges and franchises of any person or corporation engaged in furnishing water in said towns and upon such purchase and transfer said corporation shall have, hold, possess, exercise and enjoy all such property, rights, locations, privileges and franchises as it may acquire as aforesaid.

May acquire property of other corporations.

Section 9. The capital stock of this corporation shall be fifty thousand dollars, divided into shares of one hundred dollars each.

Capital stock.

Section 10. Said corporation may issue its bonds upon such rates and time as it may deem expedient and in such amount as may be required for the objects of this incorporation and secure the same by mortgage upon the franchises and property of said company.

May issue bonds.

Section 11. Said corporation for its said purposes, may hold real and personal property necessary and convenient therefor.

May hold real and personal estate.

Section 12. Any corporation doing business in said towns is hereby authorized to purchase the stock, bonds or other securities of this corporation.

Securities may be sold to other corporations.

Section 13. If any person shall wantonly or maliciously injure any of the structures, reservoirs, pipes, hydrants or other property, or water supply, whether frozen or not, of said company, he shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, and shall be liable to pay triple damages to said corporation, to be recovered by an action before any court of competent jurisdiction.

Penalty for injury to works of company.

Section 13. The first meeting of said corporation may be called by written notice thereof, signed by any two corporators herein named and served upon each corporator by a copy of the same in hand or mailed, postage prepaid, seven days prior to the day named therein for such meeting.

First meeting, how called.

Section 14. Should the towns of Porter, Parsonsfield and Hiram or either of them, 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 twelve, inform the said company of its intention to take over said works, then, and in that case, the company will within sixty days after the receipt of said intention of said towns or either of them, 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

Proceedings, in case towns vote to take over works of company.

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make over to the said towns or either of them, the said water works 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 towns or either of them all and every right, title, and interest, whether in law or in equity, which the said company may have in said water works.

Consideration to be paid by towns shall be fair market value.

Section 15. Should said water works be taken over by the towns or either of them as aforesaid, the consideration to be paid by the towns or either of them 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 towns or either of them, one by the company, and the third, who shall be a person learned in the law and a resident of Oxford or York counties, 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.

-if parties disagree, amount shall be determined by three persons.

Section 16. This act shall take effect when approved.

Approved March 1, 1907.

Chapter 138.

An Act to incorporate the Augusta Mutual Plate Glass Insurance Company.

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

Section 1. George E. Macomber, Charles R. Whitten, Frank E. Smith, Edwin C. Dudley, Guy P. Gannett, Charles P. Paine, Royal H. Bodwell, Charles H. Howard, Lester B. Howard and Eugene C. Carll are hereby made a corporation under the name of the Augusta Mutual Plate Glass Insurance Company, for the purpose only of carrying on business as a mutual insurance company for insuring against breakage or damage to plate glass, local or in transit, with all the powers, rights, and privileges and subject to all the duties, liabilities and restrictions set forth in all the general laws of the state relating to such insurance corporations, except as herein provided.

Corporators.

-corporate name.

-purposes.

Policy.

Section 2. No policy shall be issued by said company until fifty applications have been made in good faith.

Agents shall be licensed.

Section 3. The agents of said company shall be licensed in the same manner as agents of mutual fire insurance companies.

Section 4. This act shall take effect when approved.

Approved March 1, 1907.