

# 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-THIRD LEGISLATURE  
OF THE  
STATE OF MAINE  
1907.

---

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

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1907

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

---

**Chapter 323.**

An Act to incorporate the Kingman Developing Company.

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

Section 1. Charles P. Webber, Charles J. Webber, and John P. Webber, their associates, successors and assigns, are hereby incorporated under the name of Kingman Developing Company, for the purpose of doing a general manufacturing, illumining, heating and power business in the town of Kingman, in Penobscot county; also for the purposes of creating, leasing and selling electricity and other power for manufacturing and other purposes. Also for the purpose of supplying the inhabitants of said town with water, lights and heat for all domestic, sanitary and municipal purposes, including the extinguishment of fires; also for the purpose of transmitting to points outside of said town electricity generated within said town to be leased or sold for manufacturing, illuminating, heating and power purposes, with the rights and privileges, and subject to the liabilities and obligations of similar corporations. And said company is authorized and empowered to purchase or otherwise obtain, and to sell or lease real estate, to manufacture, buy, or otherwise obtain, and to sell or lease personal property, necessary for the prosecution of the purposes of the company, and generally to do all things necessary for and incident to such purposes, including the carrying on of a mercantile business in connection with any of the purposes of the company; also to take, hold and own, by purchase the stock, bonds or other obligations of other similar corporations and of disposing of the same in any lawful manner.

Section 2. Said company is authorized and empowered to locate, construct and maintain dams on the Mattawamkeag river in said town of Kingman, between the mouth of Molunkus stream, so called, and a line drawn across said river which shall be a continuation of the line between the said town of Kingman and the town of Drew; provided, that suitable sluices are constructed and maintained by said company in said dams at its own expense for the passage of logs and other lumber running down said river. Said company is further authorized and empowered to cut, construct and maintain canals and other waterways from said dams to any point in said towns for the purpose of developing the water power on said river; and for the purpose of constructing said dams, canals and other waterways, it may take, occupy and enclose any lands adjoining the same on either side of said river which may be necessary for building or repairing the same and for other necessary purposes, and may blow and

Corporators.

—corporate name.

—purposes

—may deal in real estate and personal property.

—may purchase stock of other corporations.

May maintain dams.

—may construct canals.

—may take land, etc.

CHAP. 323

remove rocks in the river and dig up and remove land in said river when necessary.

May lay  
pipes, etc.

—may enter  
highways,  
etc.

—shall not  
flow right  
of way of  
railroad  
company.

—may cross  
right of way  
of railroad  
company.

Section 3. Said company is further authorized and empowered to construct and maintain in, under, along, other than railroad bridges that now or may hereafter exist, pipes, hydrants, poles, wires and other structures necessary for the purposes of its incorporation, and to replace and repair the same when necessary; to enter upon and excavate any highway, or other ways, within said towns in such manner as least to obstruct the same; to take and hold, by purchase or otherwise rights of way and in general to do any acts necessary, convenient or proper for carrying out any of the provisions of this act. Nothing in this act, however, shall be construed as giving said company the right or power to flow the right of way of any railroad company, or to take any part of the right of way of any railroad company under the power of eminent domain given in this act. Said company may cross the right of way of any railroad company with wires, pipes, aqueducts or other structures mentioned in this act and in case of failure to agree with any railroad company as to place, manner and conditions of crossing its right of way with such wires, pipes, aqueducts or other structures, the place, manner and conditions of such crossings shall be determined by the railroad commissioners, and all work within the limits of any railroad company's location shall be done under the supervision, and to the satisfaction of the officers and agents of such railroad company, but at the expense of said Kingman Developing Company.

May cross,  
but shall not  
obstruct  
sewers, etc.

—liability for  
injury.

—shall not  
obstruct  
public  
travel.

Section 4. Said company is further authorized and empowered within said town to cross any watercourse, private or public sewer, and to change the direction thereof, when necessary, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down or erect a structure in any highway, way or street, or make alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done at its own expense, with as little obstruction to public travel as may be practicable.

May main-  
tain dams.

Section 5. Said company may erect and maintain dams on land which it may acquire by purchase or lease at the outlet of any lake tributary to said Mattawamkeag river, or may acquire by purchase or lease any existing dams on said lakes for the purpose of holding, storing, regulating and controlling the flow of the waters of said Mattawamkeag river, and may hold, store, regulate and control, the waters raised by said dams and draw down the same as may be required for the purpose aforesaid, and said company is hereby empowered to flow such land as may be

## CHAP. 323

necessary to carry out the provisions of this act and such corporation shall be liable for all damages caused by said flowage to be ascertained and determined in the manner prescribed in chapter ninety-two of the revised statutes. Since all water held by all existing dams is subject to log driving purposes, nothing herein contained shall be considered as abridging or curtailing those rights or the existing rights of the Mattawamkeag Lake Dam Company, and nothing in this act shall apply to any waters in Washington county.

—may flow land.  
—liable for damages.

Section 6. Said company may enter for the location, erection and maintainment of the dams mentioned in this act, and may by its agents with teams, or otherwise, pass and repass over the land of other persons for the purposes aforesaid, and for the operation and management of such dams. Said company shall be held liable to pay all damages that shall be sustained by any person or persons by the taking of any rights of way, or by excavating through any land for the purpose of surveying for, locating, laying, building or re-erecting dams, canals, reservoirs, pipes, hydrants, poles, piers and other structures by taking and holding any lands necessary for flowage, and for other injuries resulting from said acts. And if any person sustaining damage as aforesaid, cannot agree with said company upon the sum to be paid therefor, either party, upon petition to the county commissioners of Penobscot county, within twelve months after plans are filed, as hereinafter provided may have said damages assessed by them and subsequent proceedings and right of appeal thereon shall be had in the same manner and under the same condition, restrictions and limitations as are by law prescribed in the case of damages of laying out of highways; failure to apply for damages within said twelve months shall be held to be a waiver of the same.

May pass and repass over lands of others.

—liable for all damages.

—damages, how determined.

Section 7. Said company shall file in the registry of deeds' office, in the county of Penobscot, plans for the location of lands taken under the provisions of this act, and no entry shall be made on lands owned by other persons, except to make surveys until the expiration of said ten days from filing, and with said plans said company 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 the sum, the company shall recover costs against such persons, otherwise such persons shall recover costs against the company.

Shall file plans in registry of deeds.

Section 8. Said company is further authorized and empowered to make contracts with other corporations and with the inhabitants of any city, town or village corporation which now or hereafter may exist, for the purpose of supplying water, light,

May contract for supplying water, etc.

**CHAP. 324**

heat or power as contemplated by this act, and any other corporation, and the inhabitants of any city, town or village corporation are hereby authorized to enter into contracts with said company for the supplying of water, light, heat or power for a term of years.

Capital stock.

Section 9. The capital stock of said company shall not exceed five hundred thousand dollars, divided into shares of one hundred dollars each. And for the purpose of carrying out any of the provisions for which said company is incorporated it is hereby authorized and empowered to issue its bonds in such form and amount and on such time and rates as it may deem expedient, not exceeding the amount of its capital stock actually subscribed for, and secure the same by mortgage of its property and franchises.

—may issue bonds.

First meeting, how called.

Section 10. Any two corporators named in this act may call the first meeting of this corporation, by mailing a written notice, signed by them, 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.

Section 11. This act shall take effect when approved.

Approved March 20, 1907.

### Chapter 324.

An Act to provide a salary for the Judge of the Municipal Court of Dexter.

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

Section 14, chapter 260, private and special laws 1883, amended.

Section fourteen of chapter two hundred and sixty of the private and special laws of eighteen hundred and eighty-three, is hereby amended, as follows: By striking out all of said section after the word "suit" in the ninth line of said section and inserting in its place thereof the following: 'And the said judge shall receive as full compensation for his services including the keeping of the records of said court and for providing all necessary blanks for the use of said court, a salary of five hundred dollars a year to be paid quarterly from the treasury of the county of Penobscot. A condition preceding the payment of said salary as aforesaid, shall be the rendering by said judge of a correct and detailed statement to the county commissioners and the payment over by said judge to the county treasurer, of all fees both civil and criminal collected by said municipal court for the preceding quarter or fractional part thereof.' So that said section as amended, shall read as follows: