

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

CHAP. 90

—damages,
how as-
sessed, if
parties fail
to agree.

damage cannot agree with the owners of said piers and booms upon the sum to be paid for such damages either party on petition to the commissioners of Somerset county may have such damages assessed by them, and subsequent proceedings and right to appeal thereon shall be had in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

Approved March 5, 1909.

Chapter 90.

An Act to authorize Florence B. Alley and others to fence Alley Cemetery in the town of Boothbay, and to erect monuments or markers at the graves therein.

Be it enacted by the People of the State of Maine, as follows:

Florence
B. Alley and
Byron Giles
authorized
to erect
monuments,
etc., in Al-
ley ceme-
tery.

—may fence
cemetery.

Section 1. Florence B. Alley of New York and Byron Giles of Boothbay in the state of Maine and such descendants and relatives, of people buried in the Alley cemetery in the town of Boothbay, Maine, as may associate themselves with the said Alley and Giles, are hereby authorized and empowered to erect monuments, head stones or markers at any or all of the graves in the Alley cemetery. They are further authorized to build a good substantial fence around said cemetery and to cross the land of Mabel V. Conkling or others, by the usual traveled way in going from the town road to said cemetery.

Boundaries,
how deter-
mined, if
parties fail
to agree.

Section 2. If any disagreement arises between the parties above named and the owners of the land surrounding said cemetery, as to the true boundaries of the cemetery, such boundaries shall be determined by three disinterested men. The said Alley, Giles and their associates to choose one out of three persons named by the owners of the land, and the owners of the land shall choose one from three persons named by the said Alley, Giles and their associates, and the third shall be chosen by the two so selected.

Approved March 5, 1909.

Chapter 91.

An Act to incorporate the Bibbers Island Water Company.

Be it enacted by the People of the State of Maine, as follows:

Corporators.
—corporate
name.
—purposes.

Section 1. Clarence E. Lane and associates are hereby made a corporation by the name of the Bibbers Island Water Company, for the purpose of supplying Bibbers Island in the town of

Freeport, county of Cumberland, state of Maine, and the inhabitants of said island with pure water for domestic and sanitary purposes for five months of the year more or less or from May first to October first, with all the rights and privileges and subject to all the liabilities and obligations of similar corporations under the laws of the state.

Section 2. Said company for this purpose may take, retain, collect, use, and distribute water from any springs or wells that it may acquire by purchase, lease or otherwise, and may locate, construct and maintain reservoirs, dams, standpipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through said island in the usual manner.

May acquire sources of water supply.

—maintain dams and reservoirs, etc.

Section 3. The place of business of said corporation shall be in Freeport, in the county of Cumberland and state of Maine.

Place of business.

Section 4. Said corporation is hereby authorized for the purpose aforesaid to lay, construct and maintain under, through, along and across the highways, ways, streets and roads in said island and to take up, replace and repair all such sluices, pipes, aqueducts, hydrants and structures as may be necessary for the purpose of its incorporation so as not to unreasonably obstruct the same and under such reasonable restrictions and conditions as the selectmen of said town may impose. It shall be held responsible for all damages to persons or property occasioned by the use of said highways, ways, streets and roads.

May lay pipes, etc., under, along and across highways.

—shall not unreasonably obstruct streets, etc.

—responsible for all damages.

Section 5. Said corporation shall have the power to cross any water courses, public or private, pipes of all kinds, or to change the location thereof when necessary for the purpose of its incorporation and in such manner as not to impair the use thereof. It shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures of any kind in any highway, way, street or road, it shall cause the same to be done with as little obstruction to public travel as may be practical and shall at its own expense without unnecessary delay cause the earth to be replaced in proper condition.

May cross, but shall not obstruct, water courses.

—liable for injury.

—shall not obstruct public travel.

Section 6. Said corporation shall be held liable to pay all damages that shall be sustained by any persons for the taking or crossing any land or other property or by excavating through any land for the purpose of laying down pipes, aqueducts, building reservoirs, and also damages or any other injuries resulting from said acts. If any person sustaining damages as aforesaid, and said corporation cannot agree mutually upon the sum to be paid therefor, either party by calling upon the county commissioners of Cumberland county may have the damages assessed by them and subsequent proceedings and

Shall be liable for damages for taking land, etc.

—damages, how assessed, if parties fail to agree.

CHAP. 92

rights of appeal shall be had in the same manner and under the same conditions, restrictions and limitations as are by law provided in cases of land taken for the location of railroads.

May hold
necessary
property.

Section 7. Said corporation shall hold real and personal estate necessary and convenient for the purpose of its incorporation.

Capital
stock.

Section 8. The capital stock of said corporation shall be five thousand dollars divided into shares of ten dollars each.

First meet-
ing, how
called.

Section 9. The first meeting of said corporation may be called by written notice served by any one of the incorporators at least seven days before the day of said meeting.

Penalty for
corrupting
water or
damaging
property.

Section 10. Whosoever shall knowingly or maliciously corrupt the water supply of said corporation, or in any way render such water impure, or whoever may wilfully or maliciously injure any property of said corporation, shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, and shall be liable to said corporation for three times the actual damage to be recovered in any proper action.

When act
shall be-
come void.

Section 11. This act shall become null and void in two years from the time when the same takes effect, unless the corporation shall have been organized and commenced the construction of its works under this charter.

Approved March 5, 1909.

Chapter 92.

An Act to extend the charter of the Bethel Trust Company.

Be it enacted by the People of the State of Maine, as follows:

Charter ex-
tended one
year.

The rights, powers and privileges of the Bethel Trust Company, located at Bethel, Oxford county, Maine, which were granted by chapter sixty of the private and special laws of nineteen hundred and five and extended for two years by chapter thirty-four of the private and special laws of nineteen hundred and seven, are hereby further extended for one year from the approval of this act; and the persons named in said act, their associates and successors shall have all the rights and privileges that were granted them by said act, to be exercised in the same manner and for the same purposes as specified therein; provided, however, that said company shall actually commence business as a trust company within said one year.

Approved March 5, 1909.