

# 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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Published by the Secretary of State, agreeably to Resolves of  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth  
Legislature

1909

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ing into said stream from October first to May first of the following year for a period of five years from October first, nineteen hundred and nine.

Section 2. Whoever violates any of the provisions of this act shall be punished by a fine of not less than ten nor more than thirty dollars and costs for each offense, and a further penalty of one dollar for each such fish caught, taken or killed in violation of this act.

Penalty.

Section 3. In all prosecutions under this act, municipal and police courts and trial justices within their respective counties, shall have, upon complaint, original and concurrent jurisdiction with the supreme and superior courts, and all fines, forfeitures and penalties received for violation of this act shall be paid forthwith by the person receiving the same to the state treasurer, and credited to fines and license fees for the protection of birds and game.

Jurisdiction of courts.

—fines, how disposed of.

Approved March 18, 1909.

### Chapter 225.

An Act to provide for ice fishing, in accordance with the general law of the state, in Spectacle, the Stanleys, Trafton and Jay Bird Ponds, in Oxford County.

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

So much of chapter four hundred and seven, section one, of the private and special laws of nineteen hundred and three, as closes Spectacle pond, in Porter, and the Stanley ponds in Hiram, and Trafton and Jay Bird ponds, Oxford county, to fishing through the ice, as provided in the general law of the state, is hereby repealed.

Ice fishing in Spectacle, the Stanleys, Trafton and Jay Bird ponds, permitted.

Approved March 18, 1909.

### Chapter 226.

An Act to incorporate the Guilford Water Company.

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

Section 1. Henry A. Elliott and John S. Williams, both of Guilford, in the county of Piscataquis, and Fred C. Pooler of Skowhegan, in the county of Somerset, with their successors and associates, are hereby made a body corporate by the name of the Guilford Water Company, for the purpose of conveying to, and supplying the inhabitants of the said town of Guilford

Corporators.

—corporate name.

## CHAP. 226

with water for all domestic, sanitary, municipal and commercial purposes, with all the rights and privileges, and subject to the liabilities and obligations of similar corporations under the general laws of this state.

May take and hold real and personal estate.

Section 2. Said corporation may take and hold by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid not exceeding one hundred thousand dollars.

May take water from Bennett pond, or from south branch of Piscataquis river.

Section 3. For any of the purposes aforesaid, or for the preservation and purity of said water, said corporation is hereby authorized to take and use water, from either Bennett pond, so called, in the town of Parkman, or from the south branch of the Piscataquis river in the town of Abbot, to conduct and distribute the same into and through the town of said Guilford, to survey for, locate, lay, erect and maintain suitable dams, reservoirs, machinery, pipes, aqueducts, and fixtures; to carry its pipes or aqueducts over or under any water course, bridge, street, railroad, highway, or other way; and said corporation is further authorized to enter upon and excavate any highway or other way in such manner as least to obstruct the same; to enter, pass over and excavate any lands, and in general to do any acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same or dig therein; and said corporation may establish written regulations for the use of said water, and change the same from time to time.

—may maintain dams, and lay pipes, etc.

—may enter, pass over and excavate lands.

—may lay pipes through public or private lands or ways for making service connections.

Shall file plans with register of deeds of land and water rights taken.

Section 4. Said corporation shall file in the registry of deeds in the county of Piscataquis, plans of the location of all land and water rights taken under the provisions of this act, and no entry shall be made upon any lands except to make surveys until the expiration of ten days from said filing; and with such plan the corporation may file a statement of the damages it is willing to pay to any person for any property thus taken, and if the amount finally awarded does not exceed that sum, the corporation shall recover costs against said person, otherwise such person shall recover costs against the corporation.

—may file statement of damages willing to pay for property taken.

Liable for damage.

Section 5. Said corporation shall be held to pay all damages that shall be sustained by any person or persons, to themselves or their property, occasioned by the use of said street and ways, and shall pay to said town all sums recovered against said town of Guilford, from obstructions occasioned

by said corporation, and for all expenses including reasonable counsel fees, incurred in defending such suits, with interest on the same, but said corporation may assume the defense of suits brought to recover damages as aforesaid; and also for all damages sustained by any person or persons by the taking of any lands, water, rights of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building dams, reservoirs, pipes and aqueducts, and for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid shall not agree with said corporation upon the sum to be paid therefor, either party, upon petition to the county commissioners of Piscataquis county, within twelve months after said plans are filed, may have said damages assessed by them, and subsequent proceedings, and rights of 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. Failure to apply for damages within said twelve months shall be held to be a waiver of the same.

—damages, how assessed, if fail to agree.

Section 6. Said corporation is hereby authorized to lay down and maintain in and through the streets and ways of the town aforesaid, all said pipes, aqueducts, and fixtures as may be necessary for the purposes hereinbefore specified.

May lay pipes through streets and ways of town of Guilford.

Said town of Guilford is hereby authorized to contract with said corporation for a supply of water for fire or for other purposes for a term of years, and at the expiration of such contract to renew or change the same.

—town may contract for supply of water.

Section 7. Said corporation shall not by this charter acquire any rights to, or interfere in any way with, the existing rights of those persons who are now supplying water from springs to the inhabitants of the village of Guilford, or with the hydrants and water mains, and fire apparatus in the village of Guilford owned by the said town of Guilford, and the contract made by said town of Guilford with the Piscataquis Woolen Company for fire purposes, unless said town of Guilford shall vote so to do, or with the rights of such person or persons as may desire to take spring water for their own use and furnish it to such other person or persons as may wish for said spring water. And this act shall not be construed to deprive said spring owners, their successors or assigns, from becoming bodies corporate for the purpose of supplying spring water in said town as aforesaid.

Shall not acquire by this charter, right to interfere with existing rights.

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Town of Guilford, or chartered water district, granted right to purchase and corporation required to sell system of water works.

Section 8. Said town of Guilford, or any quasi-public service corporation, chartered as a water district in said Guilford, or in said Guilford and the town of Sangerville, in said county of Piscataquis, at any time after the expiration of ten years from the opening for use and service of a system of water works constructed by said corporation, and after a vote in a legal town meeting to that effect, or a vote passed at a meeting of said water district, shall have the right to purchase, and by this act said corporation is required to sell to said town or to said water district, said system of water works including everything therewith, together with the franchise of said corporation, at a price to be agreed upon between said company and said town, or said water district, and if said price cannot be agreed upon, then at a price which shall be determined by a commission of three competent and disinterested men to be appointed by the chief justice of the supreme judicial court of Maine. In the determination of said price said commission shall allow for said franchise a sum not to exceed three hundred dollars.

—price, how determined, if parties cannot agree.

—award shall be binding.

The award of said commission shall be binding upon said company and said town or water district, and said town or water district shall pay the amount of said award for said system of water works and franchise within ninety days from the date when such award shall be rendered. The costs of said commission shall be borne equally by said company and said town or water district.

—cost of commission, how paid.

Capital stock.

Section 9. The capital stock of said corporation shall not exceed one hundred thousand dollars.

First meeting, how called.

Section 10. The first meeting of said corporation may be called by written notice thereof, signed by any two corporators named herein, served upon each corporator by giving him the same in hand, or by leaving the same at his last or usual place of abode, seven days at least before the time of meeting.

May issue bonds.

Section 11. Said corporation is hereby authorized to issue bonds, not to exceed in amount one-half of its capital stock, the same to be a first lien upon its franchises and property.

—when act shall become void.

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

Approved March 18, 1909.