

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

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the permission of the municipal officers of said municipalities, under such reasonable restrictions as they may lawfully impose, and subject to the general laws of the state relative thereto.

Section 6. Said company shall repay to any city or town any sum of money which said city or town may have been compelled to pay on any judgment for any damages caused by a defect or want of repair in the streets thereof due to the neglect of said company, or on any judgment for damages caused by the negligence of said company in erecting and maintaining or in the taking up, or repairing, of any posts, wires, pipes, or appurtenances connected with its said business. Said company at its own expense, without unnecessary delay, shall remove any obstruction in any street, made in erecting or laying the lines or pipes for such purposes, and cause earth or pavements disturbed to be properly replaced. It shall not be allowed to obstruct or impair the use of any public or private drain or gas pipe or sewer, telegraph or telephone wires, but may cross, or, when necessary, change the direction of any private wire or pipe, drain or sewer, in such manner as not to obstruct or impair the use thereof, being responsible to the owner or other person for any injury occasioned thereby in an action on the case.

Liability to town for damages.

—shall not obstruct use of drains or pipes, etc.

Section 7. Manufactories and other business corporations doing business in said towns are hereby authorized to subscribe and hold stock in said company.

Who may hold stock.

Section 8. Any one of the corporators named in this act may call the first meeting of the corporation by mailing a written notice, signed by him, postage paid, to each of the corporators seven days at least before the day of the meeting, naming the time, place and purpose of said meetings; a president, secretary and directors may be chosen, by-laws adopted and any corporate business transacted.

First meeting, how called.

Section 9. This act may be accepted at any regular meeting of said association by a majority of the members present.

Act how accepted.

Approved March 15, 1911.

Chapter 112.

An Act to incorporate the Franklin Water Company.

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

Section 1. F. E. Blaisdell, S. S. DeBeck, Theodore Bragdon, W. T. Havey, L. F. Springer, S. S. Seammon, W. B. Lawrie, L. C. Bragdon, all of the town of Franklin, Hancock county, Maine, and Charles N. Taylor of Wellesley, Massa-

Corporators.

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—corporate
name.
—purposes.

—rights and
powers.

chusetts, their associates, successors and assigns, are hereby made a corporation by the name Franklin Water Company, for the purpose of supplying the village of Franklin in the county of Hancock and the inhabitants of said town with pure water for domestic, sanitary and municipal purposes, including the extinguishment of fires, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

Section 2. Said company for said purposes may retain, collect, take, store and distribute water from any springs or wells that it may acquire by purchase of the owners thereof, or from any ponds, streams or other sources in said town of Franklin, and may locate, construct and maintain cribs, reservoirs, dams, stand-pipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through said town of Franklin.

Location.

Section 3. The place of business of said corporation shall be at Franklin in the county of Hancock and state of Maine, and its business shall be confined to said town of Franklin in said county.

May lay pipes
through
streets and
ways, but
shall not ob-
struct use of
same.

Section 4. Said corporation is hereby authorized for the purposes aforesaid, to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of its incorporation, so as not to unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said town may impose. It shall be responsible for all damage to persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages for obstruction caused by said company, and for all expenses including reasonable counsel fees incurred in defending such suits with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

—liable for
all damages.

Section 5. Said company shall have power to cross any water course, private and public sewer, or to change the direction thereof, when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and it shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations 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

May cross
water courses
and sewers,
but shall not
obstruct
same.

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as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth and pavements there removed by it, to be replaced in proper condition.

Section 6. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party on petition to the county commissioners of Hancock county, may have the 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 provided in case of land taken for railroads.

Liability for damages.

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

Section 7. Said corporation may hold real and personal estate necessary and convenient for all its said purposes to the amount of thirty thousand dollars.

May hold necessary estate.

Section 8. Said corporation may issue its bonds for the construction of its work, upon such rates and terms as it may deem expedient, not exceeding thirty thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds and mortgage property.

Section 9. The capital stock of said corporation shall be thirty thousand dollars, said stock to be divided into three thousand shares of ten dollars each.

Capital stock.

Section 10. The first meeting of this corporation, may be called by written notice, signed by any one of the incorporators and served upon each of the other incorporators, at least seven days before the day of said meeting.

First meeting, how called.

Section 11. Said corporation is hereby authorized to make contracts with said town of Franklin, and with other corporations and individuals, for the purpose of supplying water, for municipal and other purposes; and said town by its selectmen, is hereby authorized to enter into contract with said company for the supply of water, with such exemption from public burden as said town and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

May make contracts for supplying water

Section 12. Said town of Franklin at any time after the expiration of five 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 has been passed, shall have the right to purchase, and by this act said

Town may purchase water works.

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—price how determined if parties fail to agree.

corporation is required to sell to said town said system of water works including everything appertaining thereto, and if said town and corporation cannot agree upon the terms, upon such terms and price as shall be determined and fixed by the chief justice of the supreme court of the state of Maine, after due hearing of the parties interested, and from the decision of said chief justice there shall be no appeal.

Approved March 16, 1911.

Chapter 113.

An Act to incorporate the Cherryfield Water Company.

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

Corporators.

Section 1. Charles A. Stewart, William F. Campbell, Albert M. Mathews, James W. M. Nash, Wm. A. Van Wart, Frank C. Nash, Winfield S. Davis, George G. Truman, Frank Stewart, John Monahan, Jr., Fred S. Nichols, Obadiah C. Ward, all of Cherryfield in the county of Washington, and Charles N. Taylor of Wellesley in the commonwealth of Massachusetts, their associates, successors and assigns, are hereby made a corporation by the name Cherryfield Water Company, for the purpose of supplying the village of Cherryfield in the county of Washington and the inhabitants of said town with pure water for domestic, sanitary and municipal purposes, including the extinguishment of fires, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

—corporate name.
—purposes.

May take and store water.

Section 2. Said corporation for said purposes may retain, collect, take, store and distribute water from any springs or wells that it may acquire by purchase of the owners thereof, or from any ponds, streams or other sources in said town of Cherryfield, and may locate, construct and maintain cribs, reservoirs, dams, stand-pipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through said town of Cherryfield. This act shall not deprive owners of springs from continuing to sell water.

—maintain dams, hydrants, etc.

Location.

Section 3. The place of business of said corporation shall be at Cherryfield in the county of Washington and state of Maine, and its business shall be confined to said town of Cherryfield in said county.

May lay pipes along streets and ways, but shall not obstruct same.

Section 4. Said corporation is hereby authorized for the purposes aforesaid, to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads, and bridges in said town, and to take up, replace and repair all