

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1911

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

CHAP. 231

—committee to investigate and make report to city councils.

—report shall be advisory only.

Special election, upon petition of 400 voters, shall be held to ratify or reject action of city council.

—petition valid if filed with city clerk.

Chapter 130, special laws, 1911, repealed.

of Bangor from said city council, not more than two shall be from the same political party and no member of said committee shall be a stockholder in said companies or corporations. Said committee shall also have authority to investigate and recommend to both said city councils the terms and conditions upon which said permission may be granted to said corporations and companies as specified and described in section five of this act, and to make report thereof to both said city councils. Said report shall be advisory only and nothing contained in this section shall be construed in any manner as taking from said city councils the authority to impose said terms and conditions upon which said permission may be granted as specified and provided in section five of this act.

Section 7. The municipal officers of the city of Bangor shall upon the petition of four hundred qualified voters of said city cause a special election to be held within thirty days from the day of the filing of said petition, for the purpose of ratifying or reject such actions as the said city council may take in imposing terms upon such corporations and companies for the use of said bridge as provided for in section five of this act.

Said petition to be valid shall be filed with the city clerk of said city of Bangor within seven days from the time said action is taken by said city council, and if a majority of the votes cast at said special election are in favor of rejecting the action of said city council, said action shall be rendered null and void.

If a majority of votes shall be in affirmation of said action, then said action will be final.

Section 8. Chapter one hundred and thirty of the private and special laws of nineteen hundred and eleven, approved March sixteenth, in the year of our Lord, nineteen hundred and eleven, is hereby repealed.

Approved March 28, 1911.

Chapter 231.

An Act to incorporate the Northern Penobscot Water Company.

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

Corporators.

Section 1. Elmer J. Farnham, B. W. Howe, Charles A. Byram, Charles H. Quincy, Aaron Smith, William J. Curren, W. Scott Kellogg, their associates, successors and assigns are hereby made a corporation by the name of the Northern Penobscot 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.

—corporate name.

CHAP. 231

Purposes.

Section 2. The purposes of said incorporation are to furnish water for the extinguishment of fires and for municipal, domestic, sanitary and industrial purposes in the village of Patten in the county of Penobscot.

Section 3. The said corporation is hereby authorized for the purposes aforesaid to take, collect, store, retain, use and distribute water from any springs, ponds, streams or other water sources in said town of Patten or town of Mt. Chase in said Penobscot county, except springs now in use for supplying water for domestic purposes, owned by the Patten Water Company; to erect and maintain cribs, dams, reservoirs, standpipes, gates, pipes, aqueducts, and other structures necessary or convenient for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper and sufficient reservoirs 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, real estate or rights necessary for the purposes of this incorporation; to lay its pipes and aqueducts and construct and maintain the same with all the necessary fixtures in, upon, along and under the roads and streets of said town under such reasonable restrictions as may be imposed by the municipal officers thereof in accordance with the general laws of the state.

May take and store water from water sources in towns of Patten and Mt. Chase.
—exception.

—may maintain dams, reservoirs, standpipes, etc.

—may lay pipes, etc., through lands.

—take and hold necessary lands and real estate.

—lay pipes along streets under restrictions of municipal officers.

Shall be liable for damages.

Section 4. Said corporation shall be held liable to pay all damages that may be sustained by any person by taking any land or other property, by excavating through any land for the purpose of laying down pipes, building dams or reservoirs, or the erection of any of its necessary structures, and if any person sustaining damages as aforesaid cannot 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 damage by the laying out of highways.

—damages, how assessed in case of disagreement.

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 of Penobscot plans of the lands and other property which shall 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.

May enter on lands to make surveys, and file plans.

—may file statement of damages willing to pay.

CHAP. 231

Shall remove obstructions occasioned by laying pipes.

—may cross but shall not obstruct sewers, etc.

May contract for supplying water.

May acquire property of other corporations engaged in supplying water.

Capital stock.

May issue bonds secured by mortgage of its property.

May hold real and personal estate.

Bonds may be purchased by other corporations.

Penalty for injury to works of company.

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 a 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 town and with other corporations and persons for the purpose of supplying water as contemplated by this act, and said town by its selectmen and other corporations are hereby authorized to enter into contracts with said company for water and for such exemptions from public burden as said town and said company may agree upon, which when made shall be legal and binding.

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 town and upon such purchase and transfer said corporation shall have, hold, possess, exercise and enjoy all such property, rights, privileges and franchises as it may acquire as aforesaid.

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

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 object of this incorporation and secure the same by mortgage upon the franchises and property of said company.

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

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

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 the said company, he shall, on condition 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.

Section 14. The first meeting of said corporation may be called by a written notice thereof, signed by any corporator named therein and served upon each corporator by a copy of the same in hand or left at the last place of abode seven days, at least, before the date of the said meeting.

CHAP. 232

First meeting, how called.

Approved March 28, 1911.

Chapter 232.

An Act to regulate the taking of Black Bass in Pennesseewassee Lake and in the Bog, so-called, in the Town of Norway, in the County of Oxford.

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

Section 1. It shall be unlawful for any person in any one day to take, catch, or kill more than ten black bass in Pennesseewassee lake or in the Bog, so-called, in the town of Norway, in the county of Oxford. It shall also be unlawful for any person to have in possession any black bass taken in violation of this section.

Taking black bass in Pennesseewassee lake regulated.

Section 2. Whoever violates any provision of this act shall be punished by a fine of not less than ten dollars nor more than fifty dollars and costs, or by imprisonment not exceeding thirty days, for each offense.

Penalty.

Section 3. In all prosecutions arising 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 judicial and superior courts, and all fines, forfeitures and penalties recovered by any person for any violation of this act shall be paid forthwith by the person receiving the same to the state treasurer.

Court jurisdiction.

Approved March 28, 1911.

Chapter 233.

An Act to amend an act approved March sixteen, nineteen hundred and eleven, entitled, "An Act to prevent the throwing of refuse or mill waste into the Baskahegan Stream."

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

Section one of an act approved March sixteen, nineteen hundred and eleven, entitled "An Act to prevent the throwing of refuse or mill waste into the Baskahegan Stream" is hereby amended by inserting after the word "waste" in the sixth line

Section 1, of act approved March 16, 1911, amended.