

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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David Improvement Company.

the capital stock or of the rights, privileges and franchises hereinbefore described, and, either together, alone or in connection with said David Improvement Company, to erect, maintain and operate a dam or dams at said Union Falls or at Salmon Falls, so-called, on said Saco river, and itself or themselves use the power thereby generated, together with all the rights, privileges and franchises hereinbefore described, and subject to the restrictions of said chapter two hundred and forty-four of the public laws of nineteen hundred and nine and acts amendatory thereof.

Approved March 30, 1911.

Chapter 274.

An Act to incorporate the Casco Bay Water Company.

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

Corporators.

Section 1. William M. Lamb, Morrill N. Drew and Edgar E. Rounds, their associates, successors and assigns are hereby created a corporation by the name of the Casco Bay Water Company, for the purpose of supplying the government of the United States at its reservations on Great Diamond, Cow, House, Long, and Cushing islands in Casco bay with pure water for governmental purposes. And said corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed by law upon similar corporations.

Corporate name.

Purposes.

May supply water.

Section 2. Said corporation is also authorized to supply pure water for domestic purposes to the residents of Long island, and to the residents of Great Diamond island—first having obtained the written consent of the Diamond Island Association—and to the residents of Little Diamond island—first having obtained the written consent of the Maine Coast Realty Company.

By consent of U. S. Government, may lay pipes under waters of Casco bay.

Section 3. Said corporation is hereby authorized to lay, construct and maintain its lines of pipe from the main land in the town of Falmouth or the city of Portland under the waters of Casco bay—first having obtained the consent of the United States—in and to the aforesaid islands in said Casco bay.

May lay pipes along and across streets and bridges.

Section 4. Said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads and bridges of said main land and on said islands and to take up, replace and repair all such pipes, other structures and fixtures as may be necessary and convenient for any of the said purposes of the said cor-

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poration, under such reasonable restrictions and conditions as the municipal officers of said city and town may impose. And said corporation shall be responsible for all damages to said municipalities, and all corporations, persons and property occasioned by the use of the highways, ways and streets, and may lay its pipes within the limits of any of the streets of Peaks Island and take such land thereon as may be necessary for the purpose of extending its pipes and mains to said Cushing and Long Island, but for no other purpose. Said corporation shall not supply the residents of said Peaks Island or any person, firm, association, corporation or municipality with water to be used on said Peaks Island for any purpose whatsoever without the consent in writing of the Peaks Island Corporation.

—shall be liable for all damages, occasioned by use of streets.

Whenever the said corporation shall lay down or construct any pipes or fixtures in any highway, way or street or make any alterations or repairs upon its works on any highway or street, it shall cause same to be done with as little obstruction to travel as shall be practicable; and shall at its own expense without unnecessary delay, cause the earth and pavement then removed by it to be replaced in proper condition.

—shall not unnecessarily obstruct travel.

Section 5. Said corporation is hereby authorized to take and hold by purchase or otherwise any lands necessary for its lines of pipes or any other necessary structures or fixtures in, over and through any land for the said purposes, and excavate in and through such land for such location, construction and erection. And in general, to do any act necessary, convenient or proper for carrying out any of the said purposes of the incorporation.

May take and hold necessary lands.

It may enter upon such land to make surveys and location, and shall file in the registry of deeds in the county of Cumberland, plans of such locations and lands, showing the property taken, and within thirty days thereafter, publish notices of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than one rod in width of land shall be occupied by more than one line of pipe or aqueduct.

—may enter on lands to make surveys and locations, and shall file plans of same.

Section 6. Should the said corporation and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding, flowing and construction, the land owner, or said corporation may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Cumberland, and cause such damages to be assessed in the same manner and under the same conditions as are prescribed by law in the case of damages by the laying out of highways, so far as such law is consistent with the provisions

Damages, how assessed, if parties cannot agree.

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of this act. If said corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him within ninety days after notice of final judgment shall have been received by the clerk of the courts of said county, the said location shall be thereby invalid, and the said corporation shall forfeit all rights under the same as against such land owner. In the case the said corporation shall begin to occupy such land before the rendition of final judgment, the land owner may require the said corporation to file its bond to him with the said county commissioners, in such sum and with such sureties as they may approve, conditioned for said judgment or deposits. No action shall be brought against the said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforesaid.

—land owner may require corporation to file bond.

Penalty for corrupting water supply or injuring property of the corporation.

Section 7. Whoever shall knowingly or maliciously corrupt the water supply of the said corporation, whether frozen or not, or in any way render such water impure, or whoever shall wilfully or maliciously injure any of the works of the said corporation, shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years, and shall be liable to the said corporation for three times the actual damage, to be recovered in any proper action.

May contract for supplying water.

Section 8. Said corporation and the Portland Water District are hereby authorized to enter into contract for the supplying of water to carry out the purposes of the said Casco Bay Water Company.

Capital stock.

Section 9. The capital stock of the said corporation shall be one hundred thousand dollars, and the stock shall be divided into shares of one hundred dollars each, and said corporation may issue bonds to raise money for the construction of said works and their extension and repair, to an amount not exceeding one hundred thousand dollars, to be secured by mortgage upon its real estate, works and franchise.

May issue bonds secured by mortgage of its property.

Section 10. The said corporation may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, to an amount not exceeding its capital stock subscribed for, and secure the same by mortgage of its franchise and property.

May hold necessary estate, real and personal.

Section 11. The said corporation for all its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding two hundred thousand dollars.

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Section 12. The first meeting of said corporation shall be called by written notice thereof signed by two corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode seven days before the time of said meeting.

First meeting, how called.

Section 13. This act shall become null and void in two years from the approval hereof, unless said corporation shall have organized and commenced actual business under this charter.

When act becomes void.

Approved March 30, 1911.

Chapter 275.

An Act to ratify and confirm the organization of Yarmouth Manufacturing Company, and to give said company additional Powers.

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

Section 1. The organization of Yarmouth Manufacturing Company, a corporation organized under the general laws of the state of Maine, the certificate of organization of which was filed in the office of the secretary of state on the seventh day of January, eighteen hundred and ninety-two, is hereby ratified and confirmed.

Organization ratified and confirmed.

Section 2. Yarmouth Manufacturing Company shall have all the powers specified in its certificate of organization, and said company is hereby authorized to engage in the general business of making, generating, selling, distributing and supplying electricity for lighting, heating, manufacturing or mechanical purposes in the towns of Yarmouth and Cumberland and for manufacturing or mechanical purposes in units of not less than ten horse power in the town of Freeport; to control, own and operate by themselves or their lessees, any mill for manufacturing purposes, and to supply the same with light and power.

Additional powers granted.

Section 3. Said company is hereby authorized to construct, maintain and operate its lines, upon, along and across the highways, ways, streets, railroads and bridges in said towns, and all necessary poles and conduits, and to enter upon and dig up any road, street or way in said towns for the purposes aforesaid, and in a general way to do any other act or things necessary, convenient or proper to be done for the complete establishment of its works and plants; provided always that the said company shall at its own expense, and to the satisfaction of the municipal officers of said towns, without unnecessary delay,

May maintain lines of wire along streets and ways, etc.

—may enter and dig up streets.

—proviso.