

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

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

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1913

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

Chapter 33.

CHAP. 33

An Act to Incorporate the Washburn Water Company.

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

Section 1. Manning S. Gibson, Delbert M. Story, Herbert S. Willey, John L. Woodman, Thomas E. Plissey, Clifford Jameison, and Abram Clark, their associates, successors and assigns, are hereby made a corporation by the name of the Washburn Water Company for the purpose of conveying to and supplying the town of Washburn, in the county of Aroostook, and the inhabitants thereof, with pure water for domestic, sanitary, manufacturing and municipal purposes.

Corpora-
tors.

—corpo-
rate name.
—purposes.

Section 2. Said corporation for said purposes may hold all such real estate and personal property as may be necessary or convenient therefor.

Section 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the waters of any ponds, streams or springs in said town of Washburn, and is also authorized to dig, drive, drill and maintain wells, to erect and maintain dams, standpipes and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water; and said corporation may take and hold by purchase or condemnation any lands or real estate necessary therefor, and may excavate through any lands when necessary for such purposes.

May take
waters in
town of
Washburn.

—may dig
wells.

—may
maintain
dams, etc.

Section 4. 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 flowing or by excavating through the same, the same to be taken and the damages assessed therefor in the manner provided for taking lands for steam railroads, so far as the same is applicable.

Shall pay
damages for
land taken,
etc.

—damages,
how
assessed.

Section 5. The capital stock of said corporation shall be fifty thousand dollars, which may be from time to time increased by vote of said corporation not to exceed one hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital
stock.

Section 6. Said corporation is hereby authorized to lay in and through the streets and ways in said town of Washburn, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of its incorporation, the same to be done under such reasonable restrictions as the selectmen of said town may impose. Said company is hereby authorized to lay, construct and maintain its pipes across the location of any railroad, and all work within the limits of the

May lay,
take up and
repair pipes,
etc., in
streets.

—may lay
pipes, etc.,
across rail-
road loca-
tions.

CHAP. 33 railroad location shall be done under the supervision and to the reasonable satisfaction of the chief engineer of the railroad company.

May make contracts for supplying water.

Section 7. Said corporation is hereby authorized to make contracts with the corporations and inhabitants of said town and with said town, for the purpose of supplying water as contemplated in this act; and the municipal officers of said town are hereby authorized to enter into contracts for a term of years with said company for the supply of water for municipal and fire purposes and for such exemption from public burden as they and said company may agree, which when made shall be legal and binding upon all parties thereto.

—municipal officers may contract for supply of water.

May cross rivers, water-courses, etc.

Section 8. Said corporation shall have the right to cross any river, stream or water course, public or private sewer, or to change the direction thereof when necessary but in such manner as not to obstruct or impair the use thereof and it shall be liable for any injury caused thereby. Whenever the company shall lay down any pipes in any streets, or make any alterations or repairs in any highway, it shall cause the same to be done with as little obstruction to public travel as may be practicable and without unnecessary delay restore said highway to its original condition.

—shall be liable for damages.

—shall not obstruct public travel more than necessary.

Injury to property of company or pollution of waters prohibited.

Section 9. Any person who shall wilfully injure any of the property of said corporation, or shall corrupt the waters which are the source of supply furnished by said corporation, or any tributaries thereof, in any manner whatever, or render them impure, whether the same be frozen or not; or shall wilfully destroy or injure any dam, reservoir, pipe, hydrant or other thing used in transmitting and supplying water, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment for not more than two years, and shall be liable to said corporation for three times the actual damage done, to be recovered in an action of debt.

—penalty.

May issue bonds.

Section 10. Said corporation may from time to time issue bonds for the construction of its works, upon such rates and time as it may deem expedient, and secure the same by mortgages on its franchises and property then owned or thereafter by it to be acquired.

First meeting, how called.

Section 11. The first meeting of said corporation may be called by a written notice thereof signed by any of the corporators herein named, served upon each corporator by giving the same to him in hand, or by mailing the same to him postage prepaid, seven days at least before the date of said meeting.

After ten years town may purchase property of company.

Section 12. At any time after ten years from the date of the approval of this act the town of Washburn, or any village

corporation within the limits of said town of Washburn, if its inhabitants shall so vote, by a two-thirds vote, at a legal meeting called therefor, shall have the right to purchase the system of water works constructed by said company in said town for supplying said town and the village of Washburn and the inhabitants thereof, together with the franchises of this company relating thereto, at a price to be agreed upon between said company and said town or village corporation; and if such price cannot be agreed upon, then at a price, which shall be determined by a commission of three competent and disinterested men, one of whom shall be selected by said company, one by said town of Washburn, or by said village corporation, and the third by the two so selected if they can agree, if not, then by the chief justice of the supreme judicial court of Maine. The award of said commissioners, not less than cost, shall be binding upon said company and said town, or village corporation; and said town or village corporation shall pay the amount of said award for said system of water works and franchises within ninety days from the date when such award shall be rendered. The costs of said commission shall be borne equally by the said company and said town or village corporation.

CHAP. 34

—two-thirds vote required.

—how price may be determined.

—price must be paid within ninety days from date of award.

—costs of commission shall be equally borne.

Approved February 26, 1913.

Chapter 34.

An Act to Appropriate Moneys for the Payment of Salaries Fixed by Law for the Year One Thousand Nine Hundred and Thirteen.

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

Section 1. In order to provide for the payment of salaries fixed by law, for the current fiscal year one thousand nine hundred and thirteen, the following sums are hereby appropriated out of any moneys in the state treasury, and except where otherwise specially provided, the governor with the advice and consent of the council, is hereby authorized at any time prior to the first day of January, one thousand nine hundred and fourteen, to draw his warrant on the state treasurer for the same.

Expenditures of government, 1913, to provide for in part.

ADJUTANT GENERAL'S DEPARTMENT.

For the salary of the adjutant general, as provided by chapter one hundred and sixteen, section one, revised statutes, eighteen hundred dollars. . . . \$1,800 00

ATTORNEY GENERAL'S DEPARTMENT.

For the salary of the attorney general, as provided