

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.

AUGUSTA
KENNEBEC JOURNAL PRINT
1913

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

CHAP. 35

SUPREME JUDICIAL COURT.

For the salary of the eight justices of the supreme judicial court, as provided by chapter one hundred and sixteen, section one, revised statutes, forty thousand dollars	40,000 00
For the salary of the reporter of decisions, as provided by chapter one hundred and sixteen, section one, revised statutes, twenty-five hundred dollars	2,500 00
For the salaries of the stenographers to the justices, as provided by chapter one hundred and sixteen, section one, revised statutes, twelve thousand dollars	12,000 00

SUPERINTENDENT OF PUBLIC BUILDINGS.

For the salary of the superintendent of public buildings, as provided by chapter one hundred and sixteen, section one, revised statutes, twelve hundred dollars	1,200 00
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MAINE STATE PRISON.

For the salaries of the subordinate officers of Maine State Prison, as provided by chapter fifty-four, public laws of nineteen hundred and seven, as amended by chapter one hundred ninety-seven, public laws of nineteen hundred and nine, eleven thousand and fifty dollars....	11,050 00
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Amounting to the sum of one hundred and fifty-five thousand, nine hundred dollars..... \$155,900 00
 Section 2. This act shall take effect when approved.

Approved February 26, 1913.

Chapter 35.

An Act to Incorporate the Monhegan Water Company.

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

Corpora-
tors.

—corpo-
rate name.

—pur-
poses.

Section 1. Frank C. Pierce, Daniel M. Davis, Linwood A. Davis, Charles F. Jenney and Edwin C. Jenney, their associates, successors and assigns, are hereby made a corporation by the name of the Monhegan Water Company, for the purpose of supplying the plantation of Monhegan Island in the county of Lincoln, and the inhabitants of said plantation with pure water

for domestic, sanitary, municipal and public purposes, including the extinguishment of fires, for five months of the year more or less, or from May first to October first, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of the State.

Section 2. Said company for said purpose may retain, collect, take, store, use and distribute water from any springs, ponds, streams or other water sources in said Monhegan Plantation and may locate, construct and maintain dams, reservoirs, aqueducts, gates, pipes, hydrants and all the other necessary structures therefor.

May take water in Monhegan Plantation.

—may maintain dams, etc.

Section 3. Said corporation is hereby authorized for the purpose aforesaid, to lay, construct and maintain, under, through, along and across the highways, ways, streets and roads in said Monhegan Plantation, and to take up, replace and repair all such pipes, aqueducts, hydrants and structures as may be necessary for the purpose of its incorporation so as not to unreasonably obstruct the same, and under such reasonable restrictions and conditions as the selectmen of said plantation may impose. It shall be held responsible for all damages to persons or property occasioned by the use of said highways, ways, streets and roads, as aforesaid.

May lay pipes in streets, etc.

—may replace and repair pipes, etc.

—shall be responsible for damages occasioned by use of highways.

Section 4. Said corporation shall have the power to cross any water courses, public or private, and pipes of all kinds, or to change the location thereof when necessary, for the purpose of its incorporation and in such manner as not to impair the use thereof. It shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures of any kind in any highway, way, street or road, it shall cause the same to be done with as little obstruction to public travel as may be practicable and shall at its own expense, without unnecessary delay, cause the earth to be replaced in proper condition.

May cross water courses, etc.

—liable for injury.

—shall not unnecessarily obstruct travel.

Section 5. Said company may take and hold any waters as limited in section two, and also any lands necessary for reservoirs and other necessary structures, and may locate, lay and maintain aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purpose, and excavate in and through such lands for such locations, structures and maintenance. It may enter upon such lands and make surveys and locations, and shall file in the registry of deeds for said county of Lincoln, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively.

May take lands for structures.

—may lay pipes in, over and through lands.

CHAP. 35

Shall be liable for damages for land taken.

—liable for injuries from acts.

—damages how assessed.

—waiver of damages after twelve months.

May hold real and personal property.

Capital stock.

May issue bonds.

May make contracts for supplying water.

—selectmen of Monhegan Plantation may contract for water.

Corruption of water supply, how punished.

Section 6. Said corporation shall be held liable to pay all damages that shall be sustained by any persons for the taking or crossing of any lands or other property or by excavating through any lands for the purposes of laying down pipes and aqueducts, building reservoirs, and also for damages or any other injuries resulting from said acts. If any person sustains damage as aforesaid, and shall not agree with said corporation upon the sum to be paid therefor, either party, upon petition to the county commissioners at Lincoln 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.

Section 7. Said corporation shall hold such real and personal estate as may be necessary and convenient for the purpose of its incorporation.

Section 8. The capital stock of said corporation shall be ten thousand (10,000) dollars, divided into shares of ten (10) dollars each.

Section 9. Said company may issue its bonds for the construction of its works and for any and all other purposes of its incorporation, upon such rates and terms as it may deem expedient, to an amount not exceeding ten thousand (10,000) dollars, and secure the same by a mortgage or mortgages of the franchise and property of said company.

Section 10. Said corporation is hereby authorized to make contracts with the United States, and with corporations and the inhabitants of said Monhegan Plantation, for the purpose of supplying water as contemplated by this act. And the said Monhegan Plantation by its selectmen is hereby authorized to enter into contracts with said company for a supply of water for public uses on such terms and for such time as the parties may agree, which when made, shall be legal and binding on all parties thereto, and said Monhegan Plantation for this purpose, may raise money in the same manner as for other plantation charges.

Section 11. Whosoever shall knowingly or maliciously corrupt the water supply of said corporation, or in any way render such water impure, or whoever may wilfully or maliciously injure any property of said corporation, shall be punished by a fine not exceeding five hundred (500) dollars or by imprisonment not exceeding one year, and also shall be liable to said

corporation for three times the actual damage done to be recovered in or by any proper action. CHAP. 35

Section 12. At any time after ten years from the date this act takes effect, the plantation of Monhegan, 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 plantation for supplying said plantation and the inhabitants thereof, together with the franchises of this company relating thereto, and all the other property of said company, at a price to be agreed upon between said company and said plantation; but if said price for said franchises and property 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 plantation of Monhegan 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.

Plantation may purchase system after ten years.

—purchase price, how determined.

The award of said commissioners, not less than cost, shall be binding upon said company and said plantation; and said plantation shall pay the amount of said award for said system of water works, franchises and property within ninety days from the date when such award shall be rendered. The cost of said commission shall be borne equally by said company and said plantation.

—award shall be paid within ninety days.

—cost of commission, how borne.

Section 13. The first meeting of said Monhegan Water Company may be called by written notice thereof signed by any two of the incorporators herein named, served upon each of the other incorporators by giving him the same in hand or by leaving the same at his last and usual place of abode, or by mailing the same to him at his last known residence or place of business, or by publishing the same in some newspaper in the county of Lincoln and state of Maine at least five days before the time of such meeting.

First meeting, how called.

Section 14. This act shall become null and void in two years from the time when the same takes effect, unless the corporation shall have been organized and commenced the construction of its works under this charter.

Construction shall be commenced within two years.

Approved March 3, 1913.