

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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***

---

**Chapter 71.**

**CHAP. 71**

An Act to Incorporate the Mount Vernon Water & Electric Company.

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

Section 1. Joseph W. Allen, Horace E. Carson, B. Frank Allen, Harry S. Russ, Thos. W. McQuaide, J. Frank Hammond, B. Ralph Cram, Mark B. Gilman and Clifton L. Allen, all of the town of Mount Vernon, with their associates, successors and assigns are hereby made a corporation under the name of the Mount Vernon Water & Electric Company for the purpose of supplying the towns of Mount Vernon and Vienna in Kennebec county with pure water for domestic, sanitary, commercial and municipal purposes including the extinguishment of fires; and to make, generate, sell, lease, supply and distribute electricity or gas or both for lighting, heating, mechanical, manufacturing and industrial purposes, in the towns of Mount Vernon and Vienna; and such corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed upon corporations by law, except as herein otherwise provided.

Corporators.

—corporate name.

—purposes.

—powers and privileges.

Section 2. The place of business of said corporation shall be at Mount Vernon, in the county of Kennebec and state of Maine.

Place of business shall be at Mount Vernon.

Section 3. For the purpose of furnishing the aforesaid pure water, or for the preservation and purity of said water, the said corporation is hereby authorized to take and use water from any spring, pond, brook or other waters in the towns of Mount Vernon and Vienna, in said Kennebec county, excepting Parker pond, so called, situated partly in the town of Mount Vernon; and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, wells, buildings, machinery, lines of pipe, aqueducts, structures and appurtenances.

May take and use water in towns of Mount Vernon and Vienna.

—excepting Parker pond.

—may maintain dams, etc.

Section 4. The said corporation is hereby authorized to erect its poles and extend its wires, to lay, construct and maintain its lines of pipe in the said towns of Mount Vernon and Vienna and to build and maintain all necessary structures therefor, at such places as shall be necessary for the purposes of said corporation; and to cross any water course, private or public sewer, or to change the direction thereof, when necessary for their said purposes of incorporation, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury caused thereby.

May erect poles, extend wires, lay pipes, etc.

—may cross sewers, etc.

Section 5. Said corporation is hereby authorized to erect, lay, construct and maintain in, under, through, along, over and

May erect poles, lay pipes, etc., in highways, etc.

CHAP. 71

across the highways, ways, streets, railroads, streams, and bridges in the said towns of Mount Vernon and Vienna, and to take up, replace and repair all such poles, wires, aqueducts, sluices, pipes, and other structures and fixtures, as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as may be imposed by the municipal officers of said towns, subject to the general laws of the state regulating the erection of poles and wires and the laying of pipes; and the said corporation shall be responsible for all damages to the said towns and to all corporations, persons, and property, occasioned by such use of the highways, ways and streets. Whenever the said corporation shall erect poles and wires, lay down or construct any pipes or fixtures in any highway, way or street, or make any alteration 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 as may 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.

—may repair all such poles, pipes, etc.

—under reasonable restrictions as may be imposed by municipal officers.

—shall be responsible for damages.

—shall not unnecessarily obstruct public travel.

—shall replace earth etc., in proper condition.

May take and hold land for its corporate purposes.

—may cross lands for its corporate purposes.

—may enter on land to make surveys, etc.

—shall file locations of lands taken, in registry of deeds.

—may file estimate of damages.

Proceedings of parties cannot agree on amount of damages.

Section 6. The said corporation is hereby authorized to take and hold by purchase or otherwise any land necessary for flowage, and also for its poles, wires, drains, reservoirs, gates, hydrants, wells, buildings and other necessary structures; and may locate, erect, lay and maintain poles, wires, aqueducts, hydrants, lines of pipe and other necessary structures or fixtures in, over 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 incorporation. It may enter upon such land to make surveys and locations and shall file in the registry of deeds in the county of Kennebec, plans of such locations, and lands, showing the property, taken, and no entry shall be made upon any lands, excepting to make surveys, until the expiration of ten days from said filing; and with such plan the 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 such corporation.

Section 7. Should the said corporation and the owner of such land be unable to agree upon the damage to be paid for such location, taking, holding, flowing and construction, the land owner may within twelve months after said filing of plans of location, apply to the commissioners of said county of Ken-

nebec 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, as far as such law is consistent with the provisions 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 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 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 the payment of the damages that may be awarded. No action shall be brought against the said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforementioned.

Section 8. Any person suffering damage by the taking of water by said company as provided by this act, may have his damage assessed in the same manner provided in the preceding section, and payment thereof shall be made in the same manner and with the same effect. No action shall be brought for the same until after expiration of the time of payment and a tender by said company may be made with the same effect as in the preceding section.

Section 9. The said corporation is hereby authorized to make contracts with the United States, the State of Maine, the county of Kennebec, the towns of Mount Vernon and Vienna, and with any village corporation in said towns and with the inhabitants thereof or any corporation doing business therein, or water district, for the supply of water for any and all the purposes contemplated in this act; and the said towns by their proper officers, are hereby authorized to enter into any contract with the said corporation for electricity for lighting, or for other purposes, also for water for any and all purposes mentioned in this act, for a term of years, and in consideration thereof to relieve said corporation from such public burdens by abatement or otherwise as said towns, village corporations or water district may agree upon; and said contract shall be legal and binding upon all parties thereto. And the said towns of Mount Vernon and Vienna may raise money for this purpose in the same manner as for other town charges.

—location invalid if damages awarded are not paid within ninety days.

—corporation shall file bond if lands are occupied before award of damages.

Damages for the taking of water, how assessed.

Corporation may make contracts for supplying water.

—towns may contract for supply of water.

—towns of Mount Vernon and Vienna may raise money for paying for water.

## CHAP. 71

Pollution of water supply, how punished.

Section 10. 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 according to provisions of section seven of chapter fifty-six of the revised statutes, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Capital stock.

Section 11. The capital stock of said corporation shall be five thousand dollars (\$5,000) which may be increased to any sum not exceeding twenty thousand dollars (\$20,000), by a majority vote of the stockholders of the said corporation; and the stock shall be divided into shares of fifty dollars (\$50.00) each.

Corporation may hold real and personal property.  
—may make rules and regulations.

Section 12. The said corporation, for all its said purposes, may hold real and personal estate necessary and convenient therefor. Said corporation may establish written regulations for the use of said electricity and water, and change the same from time to time.

Corporation may issue bonds.

Section 13. 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 and actually paid for, and secure the same by mortgage of its franchise and property.

First meeting, how called.

Section 14. The first meeting of the corporation shall be called by a written notice therefor, signed by any two of the named incorporators, served upon each named incorporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the time of meeting.

Town of Mount Vernon or a water or electric company may purchase system after five years.

—after a vote in town meeting has been passed.

Section 15. Said town of Mount Vernon or any water or electric company, including said town or a portion of said town, at any time after the expiration of five years from the opening for use and service of a system of water or electric 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 corporation is required to sell to said town, or any water or electric company including said town, said system of water or electric works, or both, including everything appertaining thereto; and if said town or said water or electric company and said corporation cannot agree upon the terms and price, then such terms and such price shall be determined and fixed by the chief justice of the supreme court of

—terms and price, how determined.

the state of Maine, after due hearing of the parties interested, and from the decision of said chief justice there should be no appeal.

CHAP. 72

Approved March 6, 1913.

**Chapter 72.**

An Act to Extend the Time in Which the Maine Title Guarantee Company Is Authorized to Commence Business.

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

Chapter four hundred and thirty-one of the private and special laws of the year one thousand nine hundred and seven is hereby continued in force, and the incorporators named therein are hereby given a further period of two years from the time this act shall take effect in which to organize and commence business under said act.

Charter extended for two years from time when this act takes effect.

Approved March 7, 1913.

**Chapter 73.**

An Act to Incorporate the Lincoln Sewerage Company.

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

Section 1. Artemus Weatherbee, Fred V. Buzzell and George W. Thombs, all of Lincoln, in the county of Penobscot, their associates, successors, and assigns are hereby made a corporation under the name of the Lincoln Sewerage Company for the purpose of providing a system of sewers and drainage for the town of Lincoln or any part of said town for the comfort, convenience and health of the people of Lincoln, with all the rights, powers, privileges and immunities incident to such corporations.

Corporators.

—corporate name.

Section 2. Said corporation may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount fifty thousand dollars, may sell and convey the same, and may issue certificates of stock to an amount not exceeding twenty-five thousand dollars and may issue and sell bonds to the amount of twenty-five thousand dollars, secured by mortgage of its works and franchise, to aid in the construction of its works.

May hold real and personal estate not to exceed \$50,000.

—may issue certificates.

—may issue bonds.

Section 3. Said corporation is hereby authorized to take and hold by purchase or otherwise any land or real estate or easement therein, necessary for forming basins, reservoirs and outlets, for erecting buildings, for pumping works and for lay-

May take and hold lands.