

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

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 corporators 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.

CHAP. 73

ing and maintaining conduits for carrying and collecting, discharging and disposing of sewerage matter and waters, and for any other objects necessary, convenient and proper for the purpose of this act.

May construct conduits.

Section 4. Said corporation may construct conduits, in the manner aforesaid in and through said town of Lincoln to and into the Penobscot river or any tributary thereof in said town, the discharge therefrom to be at such points as is most convenient, except that the discharge, if made into any tributary of said river, shall be below the lowest improved water power; and convey through the same sewerage, surface water and the natural flowage of existing water courses, and secure and maintain basins, reservoirs and outlets; may construct and maintain flush tanks, manholes, lampholes and all usual appliances, public and private; may build and maintain pumping stations and buildings, constructions and appliances for collecting, holding and distributing and disposing of sewerage matter, may establish regulations for the use of sewers and fix and collect the prices to be paid for entering the same and also the annual rentals for use thereof, and said corporation is hereby authorized for the purposes aforesaid, having first obtained the permission of the municipal officers of said town and under such restrictions and regulations as such officers may prescribe, to lay down through the streets, highways and lands of said town, and take up, replace, and repair, all such conduits, pipes and fixtures as may be necessary for the objects of its corporation; to carry and lay conduits under any water-course, way, public or private, or railroad in the manner prescribed by law, and to cross any drain or sewer or if necessary to change its direction in such manner as not to obstruct the use thereof, and to enter and dig up any such street, road or way, for the purpose of laying pipes beneath the surface thereof, for placing manholes or other fixtures and for maintaining and repairing the same and in general to do any other acts or things necessary, convenient and proper to be done for the purpose of this act.

—may maintain basins, manholes, etc.

—may establish regulations and fix prices.

—may cross conduits, etc.

—may enter and dig up streets.

Shall file in registry of deeds description of lands taken.

Section 5. Said corporation shall file in the registry of deeds for Penobscot county, a certificate containing a description of the land taken, or on which an easement may be taken under the provisions of this act and a statement of the purposes for which it is taken, to be recorded by the register and such land or easement shall be deemed to be taken upon the filing of such certificate.

Shall pay damages for land taken.

Section 6. Said corporation shall be liable to pay all damages that shall be sustained by any person in his property, by the taking of any land or easement therein, under the

provisions of this act; and if any person sustaining damages as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions and limitations as are by law prescribed in the case of damages by the locations of highways.

CHAP. 73

—damages,
how as-
certained.

Section 7. Said corporation, at all times, after it shall commence receiving pay for the facilities supplied by it, shall be bound to permit the owners of all premises abutting upon lines of pipes and conduits, to enter the same with all proper sewerage, upon conformity to the rules and regulations of said company, and payment of the prices and rentals established therefor.

Shall per-
mit owners
of abutting
premises
to enter
sewer.

Section 8. Any person, who shall place or leave any offensive or injurious matter or materials on the conduits, catch basins or receptacles of said corporation, contrary to its regulations, or shall wilfully injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, lamp pole, outlet, engine, pump or other property held, owned or used by said corporation for the purposes of this act, shall pay twice the amount of damages to said corporation, to be recovered in any proper action; and every such person, on conviction of either of said acts of wilful injury aforesaid, shall be punished by fine not exceeding two hundred dollars or by imprisonment not exceeding one year.

Penalty for
injury to
conduits,
pipes, etc.

Section 9. Said corporation shall be liable to any person injured by any fault of said corporation or its agents, or by any defect in the highways occasioned by the construction of the works of said company, during such construction or after same have been completed, or while the same shall be undergoing repairs, or extensions are being made; and said corporation shall also be liable to the town of Lincoln for any and all cost, damage and expense, which said town may suffer or be put to by reason of the default, neglect, negligence or carelessness of said corporation or any of its officers, servants or agents.

Corporation
shall be
liable for
any fault
of its
agents
—during
construction.

Section 10. Should the town of Lincoln at a meeting duly called for the purpose, vote to take over the works of said company, and at any time subsequent to the first day of January in the year of our Lord nineteen hundred twenty, inform the said company of its intention to take over the said works, then and in that case the said company will, within sixty days after receipt of notice of such intention of the said town, and upon the tender of the fair market value at the time, of the said works of the said company, which said value shall not be

Town of
Lincoln may
take over
the works
after Jan'y
1, 1920.

CHAP. 74 less than the actual cost thereof with interest, convey and make over to the said town the said sewer works and system in their entirety, as they then exist and make, execute, acknowledge and deliver such deeds, conveyances, transfers or other instruments as may be necessary to secure to the town all and every right, title and interest whether in law or in equity, which the said company may have in said sewer works and system.

How fair market value of system shall be determined.

Section 11. Should said sewer works and system be taken over by the town, as aforesaid, the consideration to be paid by the town therefor, subject to the limitation in the preceding section, shall be the fair market value of the said works at the time of taking, as may be agreed upon by the parties thereto, and should said parties be unable to agree upon the amount to be so paid, the same shall be left to the determination of three persons to be chosen as follows: namely, one who shall not be a lawyer, to be selected by the company, one who shall not be a lawyer to be chosen by the municipal officers of the town, and another who shall be learned in the law, to be chosen by the chief justice of the supreme judicial court, whose finding in the matter shall be final and conclusive between the parties.

Town of Lincoln may contract for the sewerage of its buildings.

Section 12. Said town of Lincoln is hereby authorized to contract with said corporation by its municipal officers or other agent thereunto duly authorized by vote of said town for the sewerage of its buildings, and the sewerage and drainage of the surface water from its streets and ways, upon such terms and for such periods as may be mutually agreed upon.

Board of directors, how chosen.

Section 13. The affairs of said corporation shall be controlled by a board of directors, consisting of not less than three members, two of whom shall be citizens of the town of Lincoln, elected annually by vote of the stock holders of the corporation; and the board of directors shall choose such other officers as may, from time to time, be required by the by-laws of the corporation.

First meeting, how called.

Section 14. Any one of the persons mentioned in the first section of this act, may call the first meeting of said corporation by giving seven days written notice to each of the others.

Approved March 12, 1913.

Chapter 74.

An Act Authorizing Bion M. Pike to Maintain a Ferry Between Lubec North Lubec, Eastport and Campobello.

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

Bion M. Pike authorized to maintain a ferry for ten years.

Section 1. Bion M. Pike of Lubec and his assigns are hereby authorized to establish and maintain a ferry for the space of ten years between said town of Lubec and the city of East-