

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
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

Chapter 80.

CHAP. 80

An Act to Incorporate the Mattawamkeag Water Company.

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

Section 1. J. C. Scott, A. E. Skillings, Edison P. Reynolds, Wilbur R. Wyman, Lyndon MacGown, Fred A. Budge and F. J. Rich, their associates, successors and assigns, are hereby made a corporation by the name of the Mattawamkeag Water Company for the purpose of conveying to and supplying the town of Mattawamkeag, in the county of Penobscot, and the inhabitants thereof, with pure water for domestic, sanitary and municipal purposes.

Corporators.

—corporate 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.

May hold real estate and personal property.

Section 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the waters of any pond, lake, stream or springs in said town of Mattawamkeag, and is also authorized to erect and maintain dams, stand-pipes 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 necessary for said purposes.

Corporation may take and use waters in town of Mattawamkeag.

—may maintain dams, lay pipes, etc.

—may take and hold lands.

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.

—damages, how assessed.

Section 5. The capital stock of said corporation shall be forty 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 Mattawamkeag, 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 in said town. In case of failure to agree with any railroad company as to the place,

Corporation is authorized to lay pipes in streets of town of Mattawamkeag.

—may cross railroad locations.

CHAP. 80

—manner of crossing to be determined by the railroad commissioners.

manner and condition of crossing its railroad with such pipes, aqueducts and fixtures, the place, manner and conditions of such crossing shall be determined by the railroad commissioners. And all work within the limits of the railroad location shall be done under the supervision and to the satisfaction of the officers and agents of the railroad company, but at the expense of said corporation.

Corporation may make contracts for supplying water.

Section 7. Said corporation is hereby authorized to make contracts with corporations and the inhabitants of said town, and with said town or any village corporation therein, for the purpose of supplying water as contemplated in this act; and the municipal officers of said town, or the assessors of any village corporation therein, or any duly authorized agent or agents thereof, 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.

—municipal officers may contract for supply of water for fire purposes, etc.

Corporation may cross rivers and sewers, 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 not unnecessarily obstruct public travel.

Penalty for injury to property, or pollution of waters.

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 the 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 any dams, reservoir, pipe, hydrant, or other thing used in transmitting or supplying water, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years and shall be liable to said corporation for three times the actual damage, to be recovered in an action of debt.

Corporation may issue bonds.

Section 10. Said corporation, from time to time, may 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 to be acquired by it.

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 day of said meeting.

Section 12. At any time after five years after the date of the approval of this act the town of Mattawamkeag or any village corporation therein, if its inhabitants shall so vote, by a majority 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 as herein authorized, together with the franchises of said 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 Mattawamkeag 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, and interest thereon, 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 cost of said commission shall be borne equally by the said company and said town or village corporation.

CHAP. 81

Town of Mattawamkeag may purchase system after five years from approval of this act.

—how price shall be determined.

—award shall be paid within ninety days.

Approved March 12, 1913.

Chapter 81.

An Act Authorizing the Town of St. George to Restrict the Taking of Clams Within the Limits of Said Town to the Inhabitants Thereof.

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

Section 1. The town of St. George at its annual meeting may fix the time in which clams may be taken within the limits of said town and the fee for which its municipal officers shall grant licenses or permits therefor and the number to be granted, and when not so regulated by a vote of said town, the municipal officers may fix the times and fees for which permits shall be granted and the number to be granted and said town may at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

Town may fix time when clams may be taken.

—municipal officers may fix times and fees when town does not regulate.

Section 2. No person shall take clams within the limits of said town without first obtaining a written license or permit

License must be obtained when required.