

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

CHAP. 174 the date when the loan was payable, said corporation shall have the right to sell or dispose of the same and apply the proceeds to the note, interest and charges, and the net surplus, after paying the loan, interest, charges, and expenses, shall be returned to the borrower, or held subject to his disposal three months, after which time it shall become the property of the corporation.

—surplus
after pay-
ment of
loan, how
disposed of.

First meet-
ing, how
called.

Section 8. The first meeting of said corporation may be called by a written notice signed by any corporator hereinbefore named, served upon each corporator by giving him the same in hand or leaving the same at his last and usual place of abode, seven days before the time appointed for the meeting, unless such notice is waived in writing signed by all the corporators.

Approved March 25, 1913.

Chapter 174.

An Act to Incorporate the Stockholm Water Company.

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

Corpora-
tors.

Section 1. Allen Quimby, N. A. Wessell, M. P. Milliken, Lewis Anderson, John Anderson and Olaf Lind, and such persons as they may associate with themselves in the enterprise, and their successors, are hereby incorporated into a corporation by the name of the Stockholm Water Company, for the purpose of supplying the town of Stockholm, in the county of Aroostook, and the inhabitants of said town, with pure water for industrial, manufacturing, domestic, sanitary and municipal purposes, including the extinguishment of fires.

—corporate
name.
pur-
poses.

Section 2. Said company, for said purposes, may detain, collect, take, store, use and distribute water from the Little Madawaska river, or any other water source or sources, in said town of Stockholm.

Company
may use
water from
sources in
town of
Stockholm.

May main-
tain reser-
voirs, etc.

Section 3. Said company is hereby authorized to lay, construct, and maintain in, through, along and across the highways, ways, streets, bridges in said town, and to take up, replace, and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen may impose, and said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highways, and streets, and shall pay to said town all sums recovered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits with interest on the same.

shall be
responsible
for dam-
ages.

Section 4. Said company shall have power to cross any water course, public or private sewer, or to change the direction thereof when necessary for the purpose of their corporation, but in such manner as not to obstruct and impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture 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 pavements thus removed by it, to be replaced in proper condition.

Company may cross water courses, etc.

—shall be liable for damages.

—shall not unnecessarily obstruct public travel.

Section 5. Said company is hereby authorized to lay, construct and maintain its pipes under the highways, ways and streets in said Stockholm and build and maintain all necessary structures therefor, to build dams and reservoirs for storage of water across any river, brook or stream in said Stockholm.

May lay pipes, etc.

Section 6. Said company may take and hold any lands necessary for reservoirs, dams, hydrants and other necessary structures, and may locate, lay and maintain pipes, hydrants and other necessary structures and fixtures in, over and through any land for its purposes, also excavate in and through such lands for such locations, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file in the office of the county commissioners of Aroostook county and record in the registry of deeds in said county of Aroostook, plans of the location of all lands or interests therein or water rights to be taken with an appropriate description and names of the owners thereof. No entry shall be made on any private lands, except to make surveys, until the expiration of ten days from such filing, whereon possession may be had of all said lands or interests therein or water rights so taken, but title thereto shall not vest in said company until payment therefor.

May take and hold lands.

—may enter on lands for surveys and shall file locations.

Section 7. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, either party upon petition to the county commissioners of said county of Aroostook may have said damages assessed by them; the procedure and all subsequent proceedings and right of appeal thereon shall be had under the same conditions, restrictions and limitations, as are by law prescribed in the case of damages by the laying out of highways.

Damages, how assessed.

—subsequent proceedings.

Section 8. Said corporation is hereby authorized to make contracts with the United States, and with corporations and

Corporation authorized to contract for supply of water.

CHAP. 174

—town may contract for water supply.

inhabitants of said town of Stockholm or any village corporation or association in said town, for the purpose of supplying water as contemplated by this act, and said town of Stockholm, or any part thereof, is hereby authorized by its selectmen to enter into contract with said company for a supply of water for any and all purposes mentioned in this act, and any village corporation in said town through its assessors is also authorized to contract with said company for water for all public purposes.

Corruption of water or injury to works, how punished.

Section 9. Whoever shall wilfully or maliciously corrupt the water of said company, whether frozen or not, or in any way render such water impure, or whoever shall wilfully or maliciously injure any of the works of said company, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage, to be recovered in any proper action.

Capital stock.

Section 10. The capital stock of said corporation shall be ten thousand dollars, which may be increased to fifty thousand dollars by a vote of said company, and said stock shall be divided into shares of twenty-five dollars each.

Company may hold real and personal property.

Section 11. Said company for all its said purposes may hold real and personal estate necessary and convenient therefor.

Company may issue bonds.

Section 12. Said company 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, not exceeding the amount of its stock actually issued and paid for, and secure the same by mortgage of the franchise and property of said company.

First meeting, how called.

Section 13. The first meeting of said company may be called by a written notice thereof, signed by any one corporator herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last and usual place of abode, seven days before the time of said meeting.

Purchase of system provided for.

Section 14. Said town of Stockholm, or any quasi public service corporation, chartered as a water district in said town of Stockholm, or any part of said town of Stockholm, in said county of Aroostook, at any time after the expiration of five years from the opening for use and service of a system of water works constructed by said corporation, and after a vote in a legal town meeting to that effect, or a vote passed at a meeting of said water district, shall have the right to purchase, and by this act said corporation is required to sell to said town or to said water district, said system of water works including everything therewith, together with the franchise of said corporation, at a price to be agreed upon between said company and said town, or

—price, how agreed upon or determined.

said water district, and if said price cannot be agreed upon, then at a price which shall be determined by a commission of three competent and disinterested men to be appointed by the chief justice of the supreme judicial court of Maine.

The award of said commission shall be binding upon said company and said town or water district, and said town or water district shall pay the amount of said award for said system of water works and franchise within ninety days from the date when such award shall be rendered. The costs of said commission shall be borne equally by said company and said town or water district.

CHAP. 175

—award of a commission shall be binding.

Costs of commission, how borne.

Approved March 25, 1913.

Chapter 175.

An Act to Enlarge the Powers and Amend the Charter of the Scarborough Water Company.

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

Section 1. The Scarborough Water Company, incorporated under chapter four hundred fifty-nine of the private and special laws of Maine, approved March twenty-first, nineteen hundred one, is hereby authorized to make, generate, sell, distribute and supply gas for lighting, heating, manufacturing, and mechanical purposes, and to supply that part of the town of Scarborough known as Higgins Beach, and which is located east of a line running from the southeasterly corner of land of James C. Jordan on the coast at the southerly end of Higgins Beach, and by the east side of said Jordan's land, thence due north, and the inhabitants thereof, with gas light, and to carry on the business of lighting by gas such public streets in the territory aforesaid, and such buildings and places therein, public and private, as may be agreed upon by said corporation, and the owners, or those having control of such places to be lighted; and may build and operate factories and works for providing and supplying gas; and may lay, maintain, and operate lines of pipe for the transmission of gas, upon, along, and over any and all streets and ways under the direction of the municipal officers of said town, provided that the granting of this charter shall in no way interfere with the right of any other parties or companies to supply the above described territory with gas.

Scarboro Water Company authorized to generate and distribute gas.

—purposes.

—territory which may be supplied.

—may build and operate works, etc.

—may lay pipes, etc.

Section 2. Said corporation may establish written regulations for the use of its gas as aforesaid, and change the same from time to time.

May establish regulations for use of its gas.