

# 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.

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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***

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vious to the acceptance of this charter and the election of officers, and notify the persons entitled to vote therein to meet at some suitable time and place on said Bustin's Island, by posting of notices in two public places on said island seven days at least before the time of holding said meeting; all subsequent meetings shall be called and notified by the overseers as town meetings are called and notified by the selectmen; either of the above named persons is authorized to preside at any meeting previous to the acceptance of the charter until the meeting is organized and until a moderator shall have been chosen by ballot and sworn; at all meetings of the corporation, a moderator shall be chosen in the manner, and with the same power as in town meetings.

Section 12. The Bustin's Island Cottage Association is hereby authorized to sell, convey, lease or otherwise dispose of any and all real estate, or interest therein, which it now has to the Bustin's Island Village Corporation, and said latter corporation is hereby authorized to purchase, take title to, lease or otherwise acquire said real estate or interest therein and to hold, manage and control the same for the benefit of said corporation and the members thereof, and for the purpose of enabling the corporation to accomplish the objects for which it was created.

Transfer of Bustin's Island Cottage Ass'n authorized.

Section 13. This act shall take effect when approved by the governor so far as to authorize the calling of a meeting, or meetings, of said corporation for the purpose of voting upon the acceptance of this charter, and whenever this charter shall be accepted by a majority of the voters of said corporation at a legal meeting called for that purpose, then the same shall take and have complete effect in all its parts.

When this act shall take effect.

Approved April 1, 1913.

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**Chapter 214.**

An Act to Incorporate the Bowdoinham Water and Electric Company.

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

Section 1. William B. Kendall, James E. Cornish, Charles B. Randall, James H. Ames, R. D. Purinton, all of the town of Bowdoinham, with their associates, successors and assigns are hereby made a corporation under the name of the Bowdoinham Water and Electric Company for the purpose of supplying the town of Bowdoinham, in Sagadahoc county, with pure water for domestic, sanitary, commercial and municipal purposes, including the extinguishment of fires; and to make,

Corporators.

—Corporate name.

—purposes.

CHAP. 214

generate, sell, lease, supply and distribute electricity or gas or both for lighting, heating, mechanical, manufacturing and industrial purposes, in the town of Bowdoinham; 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.

Place of business.

Section 2. The place of business of said corporation shall be at Bowdoinham, in the county of Sagadahoc and state of Maine.

May take waters.

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 pond, brook, or other waters in the town of Bowdoinham, in said Sagadahoc county; and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, buildings, machinery, lines of pipe, aqueducts, structures and appurtenances.

—may maintain dams, etc.

May erect poles, 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 town of Bowdoinham, 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 hereby.

May lay down pipes, etc.

Section 5. Said corporation is hereby authorized to erect, lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads, streams, and bridges in said town of Bowdoinham, 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 town, 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 town and to all corporations, persons, and property occasioned by such use of the highways, ways and streets.

—shall not unnecessarily obstruct public travel.

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. CHAP. 214

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, 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 the carrying out any of the said purposes of incorporation.

May take lands.

It may enter upon such land to make surveys and locations, and shall file in the registry of deeds in the county of Sagadahoc 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.

May enter on lands to make surveys and shall file locations.

Section 7. Should the said corporation and the owner of such land be unable to agree upon the damages 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 Sagadahoc, 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.

Damages for land taken, how determined.

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 the 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

When locations shall become invalid.

CHAP. 214

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 said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforementioned.

Damages for water taken, how determined.

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.

Corporation may make contracts for supplying water.

Section 9. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, the county of Sagadahoc, the town of Bowdoinham, and with any village corporation in said town and with any 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 town by its 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 town, village corporations, or water district may agree upon; and said contract shall be legal and binding upon all parties thereto. And the said town of Bowdoinham may raise money for this purpose in the same manner as for other town charges.

Punishment for pollution of water, etc.

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 the 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, which may be increased to any sum not exceeding fifty thousand dollars, by a majority vote of the stockholders of the said corporation; and the stock shall be divided into shares of fifty dollars each.

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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.

May hold property and establish rates.

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.

May issue bonds.

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.

First meeting, how called.

Section 15. Said town of Bowdoinham 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 the state of Maine, after due hearing of the parties interested, and from the decision of said chief justice there shall be no appeal.

After five years town may purchase plant.

—price, how determined.

Approved April 1, 1913.

**Chapter 215.**

An Act Relating to Municipal Elections in the Town of Eden.

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

Section 1. The town of Eden, Hancock county, Maine, may at any legal meeting called by a warrant containing an article for the purpose, accept the provisions of this act and when so accepted, all elections for town officers now required by law to be chosen by ballot, shall thereafter be in accordance with

When and how this act may be accepted