

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh
Legislature

1 9 1 5

CHAP. 173

Chapter 173.

An Act to Incorporate the Presque Isle Sewerage Company.

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

Incorporators.

Section 1. Charles H. Richardson, Ralph H. Sprague, Owen E. Blackden, Harry R. Pipes and Roy M. Barker, with their associates and successors, are hereby made a corporation by the name of the Presque Isle Sewerage Company, for the purpose of providing in the town and village of Presque Isle, a system of public sewers and drainage, for the comfort, convenience and health of the people of said Presque Isle, with all the rights, privileges and immunities incident to similar corporations.

—corporate name.

—purposes.

May buy or sell real estate or personal property.

Section 2. Said corporation may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid, may sell and convey the same; may issue certificates of stock to an amount not exceeding the amount of its capital stock actually paid in; and may issue and sell bonds to an amount not exceeding one-half of its capital stock, so paid in, to aid in the construction, repairs and improvements of its works; may mortgage or pledge a part or all of its property and franchises in the State as security for bonds issued under the provisions of this act, and said bonds may be purchased and held by the savings banks of Maine.

—capital stock.

Section 3. The capital stock of said corporation shall be fifty 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.

Town of Presque Isle may purchase stock.

Section 4. The town of Presque Isle, by its municipal officers, acting for and in behalf of said town, when authorized by a vote of said town, is hereby authorized and empowered to subscribe for, purchase, pay for and own stock in said corporation to an amount not exceeding two-thirds of the authorized capital stock of said corporation, which may be done at any one time or in instalments through a period of years, and said corporation or any person from whom purchased are hereby authorized to issue or transfer the same to said town, and the municipal officers of said town shall appoint some person to vote the stock so purchased as they may direct in all meetings of said corporation.

Town may issue bonds to carry out provisions of this act.

Section 5. For the purpose of raising money to carry out the provisions of this act, the town of Presque Isle may issue and negotiate its bonds with interest coupons, signed by the

municipal officers and the treasurer of said town in behalf of said town, when authorized by a vote of said town, to an amount which, taken in connection with the other indebtedness of the town, will not exceed the amount limited by the Constitution of Maine. And such bonds shall be signed by the municipal officers of the town and the treasurer, but the coupons need be signed by the treasurer of the town only, and shall be designated and marked "The Presque Isle Sewerage Loan," and such bonds to an amount not exceeding the limit aforesaid may be issued and negotiated in manner aforesaid at any one time or in amounts required for said purpose from time to time through a period of years, whenever authorized by a vote of said town.

CHAP. 173

Section 6. Said corporation is hereby authorized to take and hold, by purchase, condemnation 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 laying and maintaining conduits for carrying and collecting, discharging and disposing of sewerage matter and waters, and for any other object necessary, convenient and proper for the purposes of this act.

Right to hold land for purposes of this act granted.

Section 7. Said corporation may construct conduits, in manner aforesaid, in and through said village of Presque Isle, to and into the Presque Isle Stream, the discharge therefrom to be at such point in said stream as the municipal officers of said town may designate, 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, man-holes, lamp-holes and all usual appliances, public and private; may build and maintain pumping stations and buildings, constructions and appliances for collecting, holding, 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 using 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 said municipal officers may prescribe, to lay down, in and 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 incorporation; to carry and lay conduits and pipes under any water course, railroad or private way, and to cross any drain or sewer, or, if necessary, to change its direction in such a manner as not to obstruct the use there-

—may construct conduits and other necessary appliances to carry out provisions of this act.

CHAP. 173

of; and to enter and dig up any such street, road or way, for the purpose of laying down pipes beneath the surface thereof, for placing man-holes 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 purposes of this act.

—filing of certificate of description of land taken.

Section 8. Said corporation shall file in the registry of deeds for the Southern District of Aroostook county, a certificate containing a description of land taken, or in 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.

—liable for damages.

Section 9. 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 damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, the damages may 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 location of steam railroads, so far as the same is applicable.

—damages, how ascertained.

shall permit owners of premises to abut upon lines.

Section 10. 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 its 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.

Penalty for violation of regulations of the corporation.

Section 11. Any person who shall place or leave any offensive or injurious matter or materials in 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, man-hole, lamp-hole, 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 done 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, and by imprisonment not exceeding one year.

Board of Directors shall control affairs of the corporation.

Section 12. The affairs of said corporation shall be controlled by a Board of Directors, consisting of not less than five members, who shall be citizens of the town of Presque Isle,

and elected annually by vote of the stockholders 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.

CHAP. 174

Section 13. This charter is granted inasmuch as the objects thereof cannot be attained under the general law of the State of Maine.

--charter granted.

Approved March 31, 1915.

Chapter 174.

An Act to Amend Sections Three and Four of Chapter Seventy of the Private and Special Laws of Eighteen Hundred Eighty-seven, Entitled, "An Act to Incorporate the Spencer Dam Company," as Amended by Chapter One Hundred Ninety-five of the Private and Special Laws of Nineteen Hundred Eleven, and also to Amend Said Chapter Seventy by Adding Thereto Sections Five, Six and Seven.

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

Section 1. Section three of chapter seventy of the Private and Special Laws of eighteen hundred eighty-seven, as amended by chapter one hundred ninety-five of the Private and Special Laws of nineteen hundred eleven, is hereby amended by striking out the word "thirty" in the third line of said section, and substituting therefor the word 'fifteen,' so that said section as amended shall read as follows:

Ch. 70, Sec. 3, P. & S. Laws 1887, as amended, further amended.

'Section 3. The said corporation may demand and receive a toll for the passage of logs over their said dams and improvements, not exceeding fifteen cents for each thousand feet at the same scale adopted by the Dead River Log Driving Company, and the same toll on all logs landed on said stream below said dams and above the gut, so-called; and said corporation shall have a lien upon all logs which may pass over any of its said dams and improvements, and on said stream below said dams and above said gut for the payment of said tolls, but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within thirty days after said logs or a major part of them shall have arrived at the Dead river, said corporation may seize said logs and sell at public auction so many thereof as shall be necessary to pay such toll and costs and charges; notice of the time and place of sale ten days before such sale being first given in some newspaper printed in Augusta.'

Tolls for the passage of logs and lumber established.

--lien upon logs.

enforcement of lien.

Section 2. Section four of said chapter seventy of the Private and Special Laws of eighteen hundred eighty-seven, is hereby amended to read as follows:

Ch. 70, Sec. 4, P. & S. Laws 1887, amended.