

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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THE LEWISTON JOURNAL CO.  
LEWISTON, MAINE  
1917

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth  
Legislature

1917

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land leased by said A. A. Hodgdon, in the tide-waters of Little Machias bay in said town of Cutler; provided said weir does not interfere in the navigation or rights of others.

**Sec. 2. Location and specifications.** The above mentioned weir shall be located as follows, to wit: the pound of the weir to be located on the easterly side of the ledge known as Marston's Ledge on the westerly side of Little Machias bay in the town of Cutler; the pound of the weir to be six hundred ten feet from Marston's Ledge, ninety-six feet swing, and face the northwest, with one wing of not more than three stakes, running westerly to Marston's Ledge.

Approved April 3, 1917.

## Chapter 157.

An Act Authorizing the Biddeford and Saco Water Company to Increase its Capital Stock and to hold Securities in Other Corporations.

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

**Increase of capital stock authorized; may purchase and hold securities in other corporations; proviso.** The Biddeford and Saco Water Company is hereby authorized to increase its capital stock two hundred thousand dollars for the purposes and in the manner and subject to the restrictions provided in sections thirty-seven and thirty-eight of chapter fifty-five of the revised statutes for the regulation and control of public utilities; and the said company is hereby authorized to purchase and hold securities in other corporations located and doing business in the cities of Biddeford and Saco; provided, however, the purchase of said securities shall first be approved by the public utilities commission, and shall only be made with profits properly devotable to reserves, and only in such amounts as the public utilities commission shall approve. Said increase of stock may be effected by a vote representing a majority of the stock issued.

Approved April 3, 1917.

## Chapter 158.

An Act to Incorporate The Summer Harbor Water Company.

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

**Sec. 1. Name, corporators and purposes.** Edward J. Hammond, Edward C. Hammond, W. Allen Taft, Jr., and Luere B. Deasy, their associates, successors and assigns, are hereby made a corporation by the name of The Summer Harbor Water Company, for the purpose of supplying the inhabitants of the towns of Gouldsboro and Winter Harbor, Hancock county, Maine, and said municipalities with pure water for domestic, sanitary and municipal purposes, for the supplying of shipping and for the develop-

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ment of power; but only within that part of the town of Winter Harbor which lies westerly and northerly of a straight line beginning at the point of intersection of the town lines bounding the town of Winter Harbor on the north and east, respectively, and extending in a general southwesterly direction to the south end of Deep Cove, so called, on the shore of Frenchman's Bay.

**Sec. 2. Source of supply.** Said company, for said purposes, may retain, collect, take, store, use and distribute the waters of Lily pond, at South Gouldsboro, in the town of Gouldsboro, and may locate, construct and maintain dams for the purpose of raising the level of said pond, and reservoirs, aqueducts, gates, pipes, hydrants and all structures necessary for the distribution of water therefrom.

**Sec. 3. Pipes, etc., construction and maintenance; damages.** Said corporation is hereby authorized to lay, construct and maintain, in, under, through, along and across the streets and highways of the town of Gouldsboro and of that part of the town of Winter Harbor hereinbefore designated, and to take up, replace and repair all sluices, aqueducts, pipes, hydrants and structures that may be necessary for the purposes of its incorporation so as to not unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said towns may impose. Said corporation shall be responsible for all damages to persons and property occasioned by the use of said highways, ways and streets and shall further be liable to pay to said towns all sums recovered against said towns for obstruction caused by said company and for all expense, including reasonable counsel fees incurred in defending such suits, with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

**Sec. 4. May take lands for necessary structures; may locate pipes, hydrants, etc.; proviso.** Said corporation may take and hold the waters of said Lily pond and streams tributary thereto and may also take and hold any lands necessary for dams, reservoirs and other necessary structures and may locate, lay and maintain aqueducts, pipes, hydrants and other necessary structures and fixtures, in, over and through any lands for its said purposes and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file plans and descriptions of all land and the description of all other property taken in the office of the county commissioners, as required by the general law of the state. Not more than one rod of width of land shall be occupied by any one line of pipe or aqueduct.

**Sec. 5. Adjustment of damages in absence of agreement.** In the absence of an agreement as to damages for land or other property taken, damages shall be assessed in the same manner as may be required at the time of such taking in the case of the location of county ways and with the same right of appeal. The corporation may occupy lands and take other property for its purposes before damages are determined, but in such case, if required by the person claiming such damage, a bond to secure such payment shall be presented to, approved by and filed with the county commissioners of Han-

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cock county. If within sixty days after final determination of such damages the same are not paid, all rights of said corporation under its location shall cease. Failure to apply for damages within one year from the taking by any person damaged shall be held as a waiver of the same.

**Sec. 6. Capital stock.** The capital stock of said company shall be one hundred thousand dollars divided into shares of one hundred dollars each.

**Sec. 7. Personal and real estate holdings; amount limited.** Said corporation for all its purposes may hold real and personal estate necessary and convenient therefor, not exceeding two hundred and fifty thousand dollars in value.

**Sec. 8. Bond issue; proviso.** Said corporation may issue its bonds for the construction of its works to any amount not exceeding one hundred and fifty thousand dollars, and secure the same by mortgage or mortgages of the franchises of the company and of all of its property then owned and to be acquired. Provided, however, that the issuance of said stock and bonds shall be subject to the approval of the public utilities commission, as provided by law.

**Sec. 9. First meeting; proviso.** The first meeting of said corporation may be called by a written notice thereof signed by any incorporator herein named and served upon each of the incorporators by giving the same in hand or by leaving the same at his last and usual place of abode, seven days before the time of meeting. If all incorporators are present at such meeting of organization, either personally or by written proxy, said meeting and the doings thereof shall be legal notwithstanding no notice thereof has been given.

Approved April 3, 1917.

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## Chapter 159.

An Act to Amend Section One of Chapter Two Hundred Eighty-five of the Private and Special Laws of Eighteen Hundred Fifty-four, Relating to the Erection of Wooden Buildings in the City of Portland.

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

**P. & S. L., 1854, c. 285, § 1, amended.** Section one of chapter two hundred eighty-five of the private and special laws of eighteen hundred fifty-four entitled, "An act respecting the erection of wooden buildings in the city of Portland," is hereby amended by inserting after the word "roof" in the fifth line thereof the following sentence: 'Such limits shall include the thickly settled portion of said city only,' so that said section as amended shall read as follows:

**'Sec. 1. Limits to include only thickly settled portions.** The city council of the city of Portland is hereby authorized to establish limits in said city by ordinance of the city council, within which it shall not be lawful to erect wooden buildings exceeding ten feet in height from the ground to the eaves of the roof. Such limits shall include the thickly settled portion of said city