

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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1917

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

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_____ of _____ in the state of _____; also the following described rights of way or easements in said Auburn (here describe the rights or easements taken, and also describe sufficiently for their identification the premises over or through which said rights or easements are taken, and state ownership, or supposed ownership, of said premises.)

Sec. 15. Costs in damage proceedings. In every case of a petition for the assessment of damages or for a jury, said Auburn Sewerage District may at any time file an offer in writing, with the other papers in the case, to pay the petitioner a sum therein specified as damages; and if he does not accept the same within thirty days after notice of such offer, and does not finally recover a greater sum than that offered, not including interest from date of the offer on the sum so recovered, the district shall recover costs from said date, and if the petitioner does not recover damages in a greater sum than that allowed as aforesaid, he shall be entitled to costs only to the date of the offer.

Sec. 16. Property of district tax exempt. The property of said Auburn Sewerage District shall be exempt from taxation.

Sec. 17. Referendum; ballot to be prepared by secretary of state. This act shall take effect upon being approved by a majority of all legal voters of the city of Auburn, voting at the special state election in the month of September, nineteen hundred seventeen. A special ballot for the above purpose shall be prepared and submitted to the voters of the city of Auburn by the secretary of state, setting out the purpose and scope of this act.

Sec. 18. Inconsistent statutes repealed. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 7, 1917.

Chapter 194.

An Act to Incorporate the Calais Water and Power Company.

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

Sec. 1. Corporators, name and purposes. Samuel C. Manley of Augusta, Josiah S. Maxcy and Weston Lewis of Gardiner, in the county of Kennebec, their associates, successors and assigns, be and hereby are, made a corporation by the name of the Calais Water and Power Company for the purpose of supplying the city of Calais and any adjoining municipalities and the inhabitants thereof with water for domestic, sanitary, and municipal purposes including the extinguishment of fires; and such corporation shall possess all the powers and be subject to all the liabilities and obligations imposed upon similar corporations by law.

Sec. 2. Capital stock. The capital stock of said company shall be one hundred thousand dollars, which may be increased or diminished at any

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time at a duly notified meeting of the stockholders thereof by a majority vote, subject, however, to the approval of the public utilities commission.

Sec. 3. May acquire mortgage and convey real and personal property; may issue bonds, etc. Said corporation is hereby authorized to acquire by purchase or otherwise, mortgage, sell and convey such real estate and personal property as may be necessary or convenient for carrying out the purposes of the corporation, and may from time to time, upon the security of its property, issue such bonds, debentures or other evidences of indebtedness, and in such amounts, as may be authorized by law or approved by the public utilities commission.

Sec. 4. May purchase rights and powers of Maine Water Company, Calais Water Company, Saint Croix Electric Light and Water Company and of other corporations; source of supply. Said corporation is hereby authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of any corporation, individual, firm, association now or hereafter authorized by law to supply water for domestic, sanitary, and municipal purposes including the extinguishment of fires to any municipality or the inhabitants thereof, within Washington county or contiguous thereto, and is expressly and specifically authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of the Maine Water Company, including all rights, privileges and franchises, granted to it by chapter two hundred seven of the private and special laws of nineteen hundred and fifteen, the Calais Water Company and the Saint Croix Electric Light and Water Company, and said Maine Water Company, Calais Water Company and Saint Croix Electric Light and Water Company are hereby authorized to sell, convey and transfer to the Calais Water and Power Company all their property, rights, privileges, immunities and franchises aforesaid upon such terms as may be mutually agreed upon, subject, however, to the approval of the public utilities commission; and upon such purchase and transfer the Calais Water and Power Company shall have, hold, possess, and exercise all the locations, powers, privileges, rights, immunities, franchises, property and estates which at the time of any such purchase and transfer shall be held, possessed or enjoyed by the corporations so selling, or either of them, and shall be subject to all the duties, restrictions and liabilities to which they or any of them, shall then be subject by reason of any charter, contract, general or special law of this state, or otherwise. Whenever this corporation shall have acquired all the property, rights, privileges, immunities, and franchises of the Maine Water Company, the Calais Water Company and the Saint Croix Electric Light and Water Company it shall have the right to obtain water for the purpose of its incorporation by contract with any corporation, partnership, individual or association or municipality within the State of Maine or Dominion of Canada.

Sec. 5. Right of eminent domain delegated provided purchase is made; particular powers as to sources of supply. Whenever said corporation shall have acquired the property, rights, franchises, immunities and privileges of the Maine Water Company, the Calais Water Company, and the

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Saint Croix Electric Light and Water Company upon such terms as may be approved by the public utilities commission, it shall have the power, by right of eminent domain as hereinafter provided, which right is hereby expressly delegated to said corporation, to take as for public uses and hold any land or interest therein or water rights necessary for dams, for flowage, for power for pumping its water supply through its mains, for preserving the purity of the water and water-shed, and for laying and maintaining aqueducts, hydrants, pipe lines, and other structures for taking, distributing, discharging and disposing of water, and particularly and expressly to take and hold, divert and use the waters of East Magurrewock lake, or West Magurrewock lake, or otherwise known as Howard lake, or both, in Washington county, or any of the tributaries or outlet waters thereof and the waters of any springs, lakes or ponds in the city of Calais, or vicinity, which may be necessary or convenient as principal or auxiliary sources of supply for the furnishing of water as aforesaid for the purposes of said corporation; and to erect dams, build piers or other structures necessary for the operation of the plant of said corporation and to raise the head of water in any of said lakes, ponds, their tributaries or outlets, necessary to form reservoirs to hold sufficient supply for the purposes of said corporation and to take and hold so much of the water-shed of said lakes or ponds and any of their tributaries or outlets in the city of Calais, and the towns of Robbinston, Baring and Charlotte and adjoining towns, as may be necessary to preserve the purity of said water supply, and to lay in and through any public streets and highways and across any private lands necessary or convenient to conduct said water for the purpose aforesaid, and to that end to take and hold any lands, easements or otherwise as may be necessary to conduct said waters as aforesaid, and the right of eminent domain is hereby expressly granted and delegated to said corporation.

Sec. 6. Aqueducts, pipes, etc. may be laid along highways, etc., and across railroads; proviso. Said corporation is hereby authorized to lay down and maintain, under, through and across the highways, ways, streets and railroads in said city or towns any and all necessary aqueducts, pipes and fixtures as may be necessary for the objects of its incorporation, and to enter upon and take up any road, street or way in said city or towns, for the purposes aforesaid, and to erect along said streets and ways any hydrants, drinking fountains or other distributing facilities that may be necessary, convenient or useful for the purposes of said corporation, and in a general way to do any other acts or things necessary, convenient or proper to be done for the complete establishment and maintenance of its works and plant; provided always, that the company shall at its own expense and to the satisfaction of the municipal officers of said city of Calais and other towns in which said works are established without unnecessary delay, repair the said highways, streets, and ways in every part where they shall be so entered upon and dug up, and restore the covering, pavement and sidewalks thereof respectively.

Sec. 7. Adjustment of damages. Said company shall be liable in all cases to repay to said city all sums of money that said city may be obliged to pay on any judgment recovered against said city for damages occasioned by any obstruction, or digging up, or displacement of any street by said

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corporation, together with counsel fees and other expenses necessarily incurred in defending said city in actions therefor; provided, however, that said company shall have notice in writing of the commencement of any and all suits for such damage, and said company shall have the right to defend any such action at its own expense.

Sec. 8. Provisions of R. S., c. 51, § 33, applicable after purchase has been made. Whenever this corporation shall have acquired by purchase or otherwise all the property, capital stock, rights, privileges, immunities and franchises and all other rights of the Maine Water Company, the Calais Water Company and the Saint Croix Electric Light and Water Company, said Maine Water Company and the Calais Water Company shall have the benefit of the provisions of section thirty-three of chapter fifty-one of the revised statutes.

Sec. 9. Proceedings in exercise of right and eminent domain. Whenever the corporation shall exercise any of the rights of eminent domain herein or otherwise granted, proceedings shall be had according to the provisions of chapter sixty-one of the revised statutes.

Sec. 10. First meeting, how called. The first meeting of said corporation may be called by a written notice thereof signed by any two incorporators heretofore named, served upon each incorporator by copy of same given in hand or mailed postage prepaid at least seven days before the day named therein for such meeting, but if all the incorporators herein named are present at such meeting and sign upon the record a waiver of notice thereof no such written notice shall be required.

Approved April 7, 1917.

Chapter 195.

An Act to Authorize the County of Aroostook to Enlarge and Repair the Court Houses at Houlton and Caribou in said County.

Emergency preamble. Whereas, the law requires all contracts for public building construction to be made after public notice and public bidding, which takes time, and,

Whereas, it is necessary to construct the buildings and safety vaults called for in this act, forthwith, and during the summer season of nineteen hundred seventeen, and,

Whereas, the public interest in the records of the county of Aroostook requires that the said records be immediately protected, and,

Whereas, by reason of the foregoing facts an emergency exists such as is contemplated by the constitution of this state, and the passage of this act is immediately necessary for the preservation of the public health, peace and safety, therefore,

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

Sec. 1. Expenditure of \$75,000 authorized for repair of court houses and reconstruction of safety vaults. The county of Aroostook is hereby