

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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.

KENNEBEC JOURNAL PRINT SHOP
AUGUSTA, MAINE

1927

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Third Legislature

1927

Chapter 80

An Act in Favor of Frank J. Durgin, of West Forks Plantation.

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

Made eligible for state pension. Frank J. Durgin of West Forks Plantation is hereby made eligible for pension under chapter thirty-eight of the public laws of nineteen hundred nineteen.

Approved April 4, 1927.

Chapter 81

An Act to Extend the Charter of the Central Heating Company of Portland.

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

Sec. 1. Charter extended. The rights, powers and privileges of the Central Heating Company, of Portland, which were granted by chapter fifty-six of the private and special laws of nineteen hundred and twenty-five are hereby extended for two years additional, and the persons named in said act and their associates and successors shall have the rights, powers and privileges that were granted to them by said act to be exercised by them for the same purposes as specified in said act.

Sec. 2. Existing statutes not affected; subject to provisions of R. S., c. 55. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes, and acts amendatory thereof or additional thereto.

Approved April 6, 1927.

Chapter 82

An Act to Incorporate the Franklin Water Company.

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

Sec. 1. Corporators; corporate name; purposes. P. L. Homer, W. E. Bragdon, C. C. Blaisdell, William F. Jordan and H. L. Fernald, all of the town of Franklin, Hancock county, their associates, successors and assigns, are hereby made a corporation by the name Franklin Water Company, for the purpose of supplying the village of Franklin in the county of Han-

CHAP. 82

cock and the inhabitants of said town with pure water for domestic, sanitary and municipal purposes, including the extinguishment of fires, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

Sec. 2. Source of supply; may construct dams, lay pipes, etc. Said company for said purposes may retain, collect, take, store and distribute water from any springs or wells that it may acquire by purchase of the owners thereof, or from any ponds, streams or other sources in said town of Franklin and may locate, construct and maintain cribs, reservoirs, dams, stand-pipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through said town of Franklin.

Sec. 3. Location. The place of business of said corporation shall be at Franklin, in the county of Hancock and state of Maine, and its business shall be confined to said town of Franklin in said county.

Sec. 4. Authorized to lay pipes in streets; responsibility for damages. Said corporation is hereby authorized for the purposes aforesaid, to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and 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 its incorporation, so as not to unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said town may impose. It shall be responsible for all damage to persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages for obstruction caused by said company and for all expenses 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. 5. Authorized to cross water courses and sewers; work in highways. Said company shall have power to cross any water course, private and public sewer, or to change the direction thereof, when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and it shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations 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 there removed by it to be replaced in proper condition.

Sec. 6. Damages for flowage and excavation through lands, how assessed. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property or by flowage, or by excavating through any land for the purposes of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injury resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party on petition to the county commissioners of Hancock county, may have the damages assessed by them; and subsequent proceedings and rights of appeal thereon shall be had in the same manner and under the same conditions, restrictions and limitations as are by law provided in case of land taken for railroads.

Sec. 7. Right to hold property limited. Said corporation may hold real and personal estate necessary and convenient for all its said purposes to the amount of thirty thousand dollars.

Sec. 8. Authorized to issue bonds. Said corporation may issue its bonds for the construction of its works, upon such rates and terms as it may deem expedient, not exceeding thirty-five thousand dollars and secure the same by mortgage of the franchise and property of said company.

Sec. 9. Capital stock. The capital stock of the said corporation shall be thirty-five thousand dollars and said stock to be divided into three thousand five hundred shares of ten dollars each.

Sec. 10. First meeting, how called. The first meeting of this corporation may be called by a written notice, signed by any one of the incorporators and served upon each of the other incorporators at least seven days before the day of said meeting.

Sec. 11. Authorized to make contracts for supplying water. Said corporation is hereby authorized to make contracts with said town of Franklin, and with other corporations and individuals, for the purpose of supplying water for municipal and other purposes; and said town by its selectmen, is hereby authorized to enter into contract with said company for the supply of water with such exemptions from public burden as said town and said water company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

Sec. 12. Town authorized to purchase water system. Said town of Franklin may 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 has

CHAP. 83

been passed, shall have the right to purchase and by this act said corporation is required to sell to said town said system of water works including everything appertaining thereto, and if said town and corporation can not agree upon the terms, upon such terms and price as shall be determined and fixed by the chief justice of the supreme court of the state of Maine, after due hearing of the said parties interested, and from the decision of said chief justice, there shall be no appeal.

Approved April 6, 1927.

Chapter 83

An Act to Amend the Act Incorporating the Livermore Falls Water District.

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

P. & S. L., 1907, c. 390, sec. 15; relating to rates for water service, amended. Section fifteen of chapter three hundred and ninety of the private and special laws of nineteen hundred and seven, is hereby amended by adding to the first sentence of said section the words, 'provided, however, that the trustees may from time to time, in their discretion, and subject to review by the public utilities commission on its own motion or on complaint under chapter fifty-five of the revised statutes, establish meter rates and require the use of meters throughout said territory, or in any part or parts thereof,' so that the first paragraph of said section, as amended, shall read as follows:

'Sec. 15. Authorized to establish meter rates. All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said district the rates established by said board of trustees for the water used by them, and said rates shall be uniform within the territory supplied by the district; provided, however, that the trustees may from time to time, in their discretion, and subject to review by the public utilities commission on its own motion or on complaint under chapter fifty-five of the revised statutes, establish meter rates and require the use of meters throughout said territory, or in any part or parts thereof. Said rates shall be so established as to provide revenue for the following purposes:'

Approved April 6, 1927.