

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 76

AN ACT to Incorporate the Patten Water and Power Company.

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

Sec. 1. Corporators; name; purposes. Charles A. Byram, Henry C. Rowe, Verdi Ludgate, Harry E. Green, Edbert C. Wilson and A. P. Wyman, their associates, successors and assigns are hereby incorporated under the name of Patten Water and Power Company for the purpose of furnishing the inhabitants of Patten with pure water for domestic and municipal use.

Sec. 2. Powers; eminent domain. Said corporation is hereby authorized for the purpose aforesaid to take and hold sufficient water from any available source and may take and hold by purchase but not by eminent domain any land or real estate necessary for erecting dams, building reservoirs or for preserving purity of the water and watershed, and for laying and maintaining pipe lines for conducting, discharging, distributing and disposing of water.

Provided, however, that nothing herein contained shall be construed as authorizing said water company to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or acquired for future use by the owner thereof in the performance of a public duty unless expressly authorized thereto herein or by subsequent act of the legislature, or as provided in section 3 hereof.

Sec. 3. Procedure if public utility must be crossed. In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the crossing within 30 days after such consent is requested by said company, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the company.

Sec. 4. Authorized to lay pipes in streets. Said corporation is hereby authorized to lay and maintain a pipe line to its source of supply under the provisions of section 2 and to lay and maintain in and through the public ways in the town of Patten all such pipes, aqueducts and fixtures as may be necessary, and whenever it shall lay pipes in any public way it shall cause the same to be done with as little obstruction as possible to the public travel, and shall at its own expense and as speedily as possible cause the earth and surfacing removed by it to be replaced in proper condition.

Sec. 5. Capital stock. The capital stock of said corporation shall be

such sums as shall be fixed from time to time by the members and approved by the public utilities commission.

Sec. 6. Authorized to issue bonds. In addition to the capital subscribed the corporation may raise such further sums as are necessary by the issue of bonds and secure payment of said bonds by mortgage upon its property and franchises.

Sec. 7. Existing statutes not affected, rights conferred subject to R. S., c. 62. 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 62 of the revised statutes, and acts amendatory thereof or additional thereto.

Effective July 9, 1943

Chapter 77

AN ACT Amending "An Act to Create the Port of Portland Authority" as amended.

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

Sec. 1. P. & S. L., 1929, c. 114, § 4. Section 4 of chapter 114 of the private and special laws of 1929 is hereby amended by adding the following paragraph:

'(e) Surveys may be made. The directors shall give consideration to the development of ports in this state and, when authorized by the governor and council, may cause surveys to be made; said directors shall consult with and advise representatives of such communities or districts as may desire to institute proceedings for local maritime and port development; they may make recommendations to the legislature in respect of the same and to the municipal officers of such cities, towns or districts in which such ports are located.'

Sec. 2. P. & S. L., 1929, c. 114, § 6, amended. Section 6 of chapter 114 of the private and special laws of 1929 is hereby amended by adding thereto the following paragraphs, to read as follows:

'The Port of Portland Authority may take for public use, for its purposes, any property, right, easement, use, interest or estate in any wharf, dock, pier or site, including related approaches, abutments and appurtenances already appropriated to or charged with a public use, under the power of eminent domain, excluding all that portion of the waterfront of