

# 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

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Published by the Revisor of Statutes in accordance  
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1943

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

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## CHAP. 78

Portland harbor situated west, southwest, or south of a line drawn northwest and southeast through a point which is the center of Maple street in said Portland where said street joins or intersects the northerly line of Commercial street and projecting into the main Harbor; but consideration shall be given to such existing public use and all reasonable efforts shall be made to interfere no more than may be reasonably necessary with the business, service or functions of the owner, operator, possessor or other person controlling, managing or operating such existing public use; provided, however, that no such property, right, easement, use, interest or estate already appropriated to or charged with a public use shall be taken without contract with or the consent of the owner, operator, possessor or other person controlling, managing or operating the same, unless and until the public utilities commission, after notice and hearing, shall have determined that such property, right, easement, use, interest or estate appropriated to or charged with a public use is necessary to said Authority for the purposes of this act, and that the taking by said Authority is in the public interest.

Any person, firm or corporation sustaining damage as aforesaid, under said act creating said Authority as amended, and failing to agree with the directors as to the amount thereof, may have the same assessed and determined in the manner provided by law in the case of land taken for the laying out of highways, on application at any time within 3 years after the taking of such land, right, easement, use, interest or estate therein, but no such application shall be made after the expiration of the said 3 years.'

Effective July 9, 1943

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## Chapter 78

AN ACT to Incorporate the Vanceboro Water Company.

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

Sec. 1. Corporators; name; purposes. Charles F. Keef, Earl Crandlemire, Bertram Jackman, Guy W. Butler, Edward A. Holbrook, Edbert C. Wilson, Harry E. Green, their associates, successors and assigns are hereby incorporated under the name of Vanceboro Water Company for the purpose of furnishing the inhabitants of Vanceboro with pure water and electricity 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 and for the purpose of setting poles and extending wires for conducting of electricity.

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 Vanceboro 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 of such amount and classification 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.

**Sec. 8. Authorization to furnish electricity.** With consent of the public

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utilities commission as provided for in the revised statutes and subject to all laws properly applicable said corporation may make, generate, sell, distribute and supply electricity in said town of Vanceboro.

**Sec. 9. Authorized to set poles, etc.** Said corporation is hereby authorized to set poles and extend wires thereon in and through such streets and ways in the town of Vanceboro as it may deem expedient in carrying out the purposes of section seven of this act, under such reasonable instructions as the municipal officers of said town may impose as to the manner in which the poles shall be set and the height at which the wires shall be carried thereon.

**Sec. 10. May maintain dams.** Said corporation is authorized to locate, construct and maintain a dam or dams on any brooks or streams lying wholly or partly within said town, provided, that they shall not be constructed so the flowage of water will interfere with any mills or dams existing at such time as said company may erect dams as aforesaid.

Effective July 9, 1943

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## Chapter 79

### AN ACT to Incorporate the Bethel Water District.

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

**Sec. 1. Bethel Water District.** Subject to the other provisions of this act, the territory and people constituting the town of Bethel, in the county of Oxford, shall constitute a body politic and corporate by the name of the Bethel Water District for the purpose of supplying the inhabitants of said town with pure water for domestic, sanitary, commercial, and municipal purposes.

**Sec. 2. May take water for certain purposes.** The said district, for the purpose of its incorporation, is hereby authorized to take, hold, divert, use and distribute water from Chapman brook in said Bethel and its water shed, part of which is in the town of Newry, and subject to the other provisions of this act such other sources as from time to time said district may determine to be necessary or desirable to better carry out the purposes of this act.

**Sec. 3. May hold certain land for certain purposes.** The said district, for the purposes of its incorporation, is hereby authorized to take and hold, as for public uses, by purchase or otherwise including by right of eminent domain any land or interest therein or water rights necessary for erecting