

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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1874.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1874.

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**Chapter 448.**

CHAP. 448.

An act to confirm the lease of the Bangor and Piscataquis Railroad to the Consolidated European and North American Railway Company.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

That the contract and lease between the Bangor and Piscataquis Railroad Company and the Consolidated European and North American Railway Company, as now constituted, for operating its line of railroad between Oldtown and Guilford, by the latter company, and the transfer and assignment thereof, and of its rights, franchises and privileges, by it to the latter company, as provided in said contract and lease, is hereby authorized, ratified and confirmed.

Lease ratified and confirmed.

Approved February 10, 1874.

**Chapter 449.**

An act to incorporate the Bar Harbor Water Company.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. David Rodick, Stephen Higgins, Fountain Rodick, Samuel N. Higgins, Charles Higgins, Albert F. Higgins, John A. Rodick, Serenus H. Rodick, Alfred E. Conners and Edwin G. Desisle, with their associates and successors, are hereby made a corporation by the name of the Bar Harbor Water Company, for the purpose of conveying to, and supplying the village and vicinity of Bar harbor, in the town of Eden, Hancock county, with pure and wholesome water; and said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount fifty thousand dollars.

Corporators.

Corporate name.

May hold real and personal estate.

SECT. 2. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Eagle lake and Duck brook, or either of them, in said town of Eden, and is also authorized to erect, maintain dams and reservoirs, and lay and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said corporation may take and hold any lands necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

Authorized to take waters of Eagle lake and Duck brook.

Authorized to erect dams, reservoirs, &c.

May take and hold lands.

SECT. 3. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land or other property, or by flowage, or by excavating through

Corporation liable for damages.

CHAP. 449.

Damages, how ascertained, in case of disagreement.

any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

Authorized to lay down pipes, aqueducts, &c., in town of Eden.

SECT. 4. Said corporation is hereby authorized to lay down, in and through the streets and ways in said town of Eden, all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the selectmen of said Eden may impose. And said corporation shall be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said town of Eden all sums recovered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

Responsible for damages to persons and property

May cross private or public sewers, &c.

SECT. 5. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby.

Surveys for locating dams, &c., to be filed in office of town clerk.

SECT. 6. Said corporation shall cause surveys to be made for the purpose of locating their dams, reservoirs and pipes and other fixtures, and cause accurate plans of such location to be filed in the office of the town clerk of said Eden, and notice of such location shall be given to all persons affected thereby, by publication in some public newspaper in said county; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from the said filing and publication.

Notice of location to be given.

Penalty for wilful injury to company's works.

SECT. 7. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Eagle lake and Duck brook, or any of their tributaries, in any manner whatever, or render them impure, whether the same be frozen or not, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Capital stock.

SECT. 8. The capital stock of said corporation shall be five thousand dollars, which may be increased to fifty thousand dollars by a vote of said corporation; and said stock shall be divided into shares of fifty dollars each.

Shares.

Town of Eden authorized to subscribe to stock.

SECT. 9. The town of Eden is hereby authorized to subscribe to the stock of said corporation to an extent not exceeding two

thousand dollars, by a two thirds vote, at any legal meeting called for that purpose, but no more than one meeting shall be called for that purpose in any one year. CHAP. 450.

SECT. 10. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators herein named, served upon each corporator by giving him the same in hand or leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting,  
how called.

SECT. 11. This act shall take effect when approved.

Approved February 10, 1874.

### Chapter 450.

An act to authorize and empower the Little Androscoggin Water Power Company to carry on the manufacture of gas.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. The Little Androscoggin Water Power Company, organized in accordance with the provisions of chapter ninety-three of the laws of one thousand eight hundred and seventy, are hereby authorized and empowered to carry on the manufacture, distribution and sale of gas, for the purpose of lighting the streets, factories, and all other buildings and works in the cities of Lewiston and Auburn, and to construct such reservoirs, gas holders, gas pipes and all other things as may be requisite and proper for such purposes.

Authorized to  
manufacture gas  
and construct gas  
works.

SECT. 2. Said corporation shall have the right to lay gas pipes in any of the public streets or highways of said cities, the consent of the municipal authorities of said cities having first been obtained therefor, and to relay and repair the same, subject to such regulations as the health and safety of the citizens and the security of the public travel may require, and as may have been prescribed by the authorities aforesaid.

Authorized to lay  
gas pipes in pub-  
lic streets.

SECT. 3. This act shall take effect when approved.

Approved February 10, 1874.

### Chapter 451.

An act to incorporate the Devine Water Company.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECT. 1. James Devine, James Devine, junior, George H. Cross, W. H. Dunham and H. R. Swallow, with their associates and

Corporators.