

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1883.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1883.

CHAP. 171

Meetings of.

SECT. 4. The said corporation may hold its meetings, annual or special, in any of the states or territories of the United States, and may choose its officers therefrom.

First meeting.

SECT. 5. The first meeting of the said corporation may be held in the Paige street Free Baptist church in Lowell, Massachusetts, on Wednesday, the thirty-first day of January, eighteen hundred and eighty-three, at nine o'clock in the forenoon, or at such other place and time as Mary A. Davis, Arcy C. Hayes and Marietta S. Waterman, or any two of them, may determine by giving seasonable notice of said meeting to all the persons named as corporators.

SECT. 6. This act shall take effect when approved.

Approved January 26, 1883.

Chapter 171.

An Act to incorporate the East Lamoine Water Company.

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

Corporators.

SECT. 1. E. G. Desisle, William H. Desisles, Charles L. Young, John D. Hopkins, Isaac B. Desisle, William C. Huckins, Jaman Perry, and such persons as they may associate with themselves in the enterprise, are hereby incorpo-

Corporate name.

rated into a corporation by the name of the East Lamoine Water Company, for the purpose of supplying the village of East Lamoine, in the town of Lamoine, in Hancock county, and the vicinity of said village, with pure water for domestic, sanitary and municipal purposes.

Purposes.

Authorized to take, convey and distribute water in Lamoine.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from Blunt's pond in said town of Lamoine and from any streams flowing out of the same, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or town-way in said town, in such manner as the municipal officers of said town may approve.

May locate and construct dams, reservoirs, sluices, aqueducts and pipes.

Authorized to occupy lands.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs and other necessary buildings, and may locate and lay and maintain pipes in and through any

—lay down pipes.

lands for said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file in the registry of deeds, in said county of Hancock, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct and not more than two acres by any reservoir.

Shall file in registry of deeds, plans of location.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location and occupation and construction, the land owner may, within twelve months after such filing of plans of location, apply to the commissioners of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay such land owner, or deposit for his use, with the clerk of the county commissioners, such sum as may be finally awarded, as damages, with costs, within sixty days after notice of final judgment shall have been received by the clerk of courts, the said location shall be thereby invalid, and the company forfeit all rights under the same. If such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same. No action shall be brought against said company for such taking and occupation, until after such failure to pay or deposit as aforesaid. Damages caused by flowage are to be ascertained and paid in the same manner.

Land damages, how assessed.

—penalty for non-payment.

Failure to apply for damages in given time, held to be waiver of same.

SECT. 5. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages ascertained in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

Damages for taking water.

CHAP. 172

Penalty for
polluting water
or injury to
works.

SECT. 6. Whoever shall, in any way wilfully pollute the water of said pond or stream, whether frozen or not, after said company shall have commenced taking the same, and whoever shall wilfully injure any of the works of said company, shall be punished by imprisonment not over two years, or by fine not exceeding one thousand dollars and shall be liable to an action for damages.

Capital stock.

SECT. 7. The capital stock of said company shall be the amount fixed by said company at its first meeting, not exceeding fifty thousand dollars.

SECT. 8. This act shall take effect when approved.

Approved January 27, 1883.

Chapter 172.

An Act to change the name of Plantation number Eleven, Range One, in Aroostook County.

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

Name changed
to Cary planta-
tion.

That from and after the passing of this act, the Plantation heretofore called "Number Eleven, Range One," west from the east line of the state of Maine, in the county of Aroostook shall be called and known by the name of Cary Plantation. But nothing in this act shall be construed to impair any rights of said plantation.

Approved January 27, 1883.

Chapter 173.

An Act to amend "An Act to incorporate the city of Auburn."

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

School committee
to consist of
mayor and ten
other persons.

SECT. 1. The superintending school committee of the city of Auburn, shall consist of the mayor of said city, who shall be ex-officio chairman, and ten other persons to be elected as hereinafter provided.