

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

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

Chapter 117.

An Act to incorporate the Grindstone Neck Water Company.

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

SECT. 1. Charles C. Hutchings, C. Berkeley Taylor, John B. Lenning, their associates, successors and assigns, are hereby made a corporation under the name of the Grindstone Neck Water Company, for the purpose of supplying Grindstone Neck, the village of Winter Harbor, and the Schoodic Peninsula, all in the town of Gouldsboro, county of Hancock, and state of Maine, with pure water for domestic, sanitary, private and public uses, including the extinguishment of fires.

Corporators.

—corporate name.

SECT. 2. Said corporation may take and hold by purchase or otherwise, real or personal estate necessary and convenient for the purposes aforesaid, not exceeding one hundred thousand dollars.

May hold real estate.

SECT. 3. Said company is hereby authorized for the purposes aforesaid, to take, collect, store, flow, use, detain, distribute and convey to Grindstone Neck, the village of Winter Harbor and the Schoodic Peninsula, in said town of Gouldsboro, the waters of Birch Harbor pond in said Gouldsboro, or the waters of any other pond or lake in said town of Gouldsboro; and it is also authorized to locate, construct, and maintain dams, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, stand pipes, hydrants, and all other necessary structures therefor.

May take water.

SECT. 4. Said corporation is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town of Gouldsboro, all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of the corporation, and to take up, replace and repair the same, under such reasonable restrictions as the selectmen of said town of Gouldsboro may impose. Said corporation shall be responsible for all legal damages to corporations, persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town of Gouldsboro all sums recovered against said town for damages from obstruction or defects of said streets and ways, caused by said corporation, and for all expenses including reasonable

Authorized to lay pipes, etc., in the streets of Gouldsboro.

Responsible for all damages.

CHAP. 117

counsel fees incurred in defending such suits, with interest on the same.

May cross private or public sewer.

SECT. 5. Said corporation shall have power to cross any water course, 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. Whenever said corporation shall lay down any of its works 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 removed by it to be replaced in proper condition.

—shall not obstruct public travel unnecessarily.

May take lands.

SECT. 6. Said corporation may take and hold any lands necessary for flowage, dams, reservoirs, locks, gates, hydrants and other necessary structures, and may locate, lay and maintain its sluices, aqueducts, pipes, hydrants and other necessary structures in, over and through any lands, and may excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make its surveys and locations, and shall file in the registry of deeds, in said county of Hancock, plans of such locations and lands, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper published in said county, such publication to be continued three weeks successively. Such land or other property shall be deemed to have been taken at the date of such filing. Said corporation however may make all needful explorations, surveys and levels on any lands prior to such filing.

—shall file plans of location in Hancock registry of deeds.

Liability for all damages.

SECT. 7. Said corporation shall be held liable to pay all legal damages that shall be sustained by any person, or other corporation, by the taking of any land, water or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams, reservoirs and other structures, and also damages for any other injuries resulting from said acts. And if any person or other corporation, sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, then such damage may be ascertained in the same manner

—damages, how ascertained.

and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

SECT. 8. Said corporation is hereby authorized to make contracts with the United States, with other corporations, and with the inhabitants of said town of Gouldsboro and all other persons for the purposes of supplying water as contemplated by this act. And said town of Gouldsboro is hereby authorized, by its selectmen, to enter into contract with said corporation for a supply of water for any purposes mentioned in this act, and for such exemption from public burden as said town and said corporation may agree, which, when made, shall be legal and binding upon both and all parties thereto.

Authorized to make contracts to supply water.

Town, authorized to make contracts and exempt from taxation.

SECT. 9. Whoever shall willfully or maliciously corrupt the water of said pond, or any tributaries thereto, or any water used by said corporation, whether frozen or not, or in any way render such waters impure, or whoever shall willfully or maliciously injure any of the works of said corporation, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Penalty, for corrupting water or injuring works.

SECT. 10. The capital stock of said corporation shall be twenty-five thousand dollars, which may be increased to one hundred thousand dollars, by a vote of said corporation, at any meeting of the stockholders, and said stock shall be divided into shares of one hundred dollars each.

Capital stock.

SECT. 11. Said corporation may issue its bonds for the construction or operation of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of its capital stock at the time, and secure the same by a mortgage of the franchise and property of the corporation.

May issue bonds and mortgage property.

SECT. 12. The Gouldsboro Land Improvement Company, a corporation established and existing under the laws of the state of Maine, is hereby authorized and empowered to become a stockholder in the Grindstone Neck Water Company, with all the privileges, rights, powers and liabilities of a stockholder.

Gouldsboro L. I. Company, may become a stockholder.

SECT. 13. The first meeting of said corporation may be called by a written notice thereof, signed by any one incorporator herein named, served upon each incorporator by giv-

First meeting, how called.

CHAP. 118 ing him the same in hand, or by leaving the same at his last and usual place of abode, seven days before the time of meeting.

SECT. 14. This act shall take effect when approved.

Approved February 26, 1891.

Chapter 118.

An Act to revive and amend the charter of the Sebago Lake and Mechanic Falls Railroad Company.

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

Corporators.

SECT. 1. John D. Spiller, B. M. Fernald, Frank Storer, Henry J. Lane, Gideon Davis, L. M. Welch, C. Eugene Wescott, S. D. Maguire, David Duran, M. F. Winslow, Erastus A. Plummer, John McLellan, O. P. Chaffin, M. L. Keys, G. O. Goodwin and J. A. Lane, their associates, successors and assigns are hereby made and constituted a body corporate and politic, by the name of the Sebago Lake and Mechanic Falls Railroad Company and by this name may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity, to secure and protect them in the exercises of the rights and privileges hereinafter granted, and the said corporation is hereby authorized and empowered to locate, construct and complete, alter and keep in repair, a railroad with one or more tracks, with all suitable bridges, turnouts, culverts, drains and all other necessary appendages, from some point near the outlet of Sebago lake, through the towns of Windham, Raymond, Casco, Poland and Minot, to some point at or near Mechanic Falls. And said corporation shall be and hereby is invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the objects and purposes of this act, and for this purpose said corporation shall have the right to purchase or to take and hold so much of the land and real estate of private persons and corporations as may be necessary for the location, construction and convenient operation of said railroad, and they shall also have the right to take, remove and use, for the construction and repair of said railroad and appurtenances, any earth, gravel, stone,

—corporate name.

Authorized to build a railroad.

—route.

Powers and privileges.