

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

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and ninety, and the lease for nine hundred and ninety-nine years of water rights, water power and other easements from Bodwell Water Power Company to Penobscot Water and Power Company, dated June ninth, eighteen hundred and ninety, are hereby ratified and confirmed.

May sell or
lease property
and franchises.

SECT. 9. Said corporation may sell or lease its property and franchises to any person or corporation, and may accept in payment for such sale cash, or the stock or bonds, or stock and bonds of such purchasing corporation in such proportions of cash, stock and bonds as may be agreed upon, and said corporation may become a stockholder in any other corporation of similar purposes in whole or in part, or may purchase the franchises and property of any corporation of similar purposes in whole or in part.

Acts, issuing
bonds and
mortgaging
property,
ratified.

SECT. 10. The acts of Penobscot Water and Power Company hitherto done in issuing its bonds and mortgaging its franchises and property to secure the payment of said bonds, are hereby ratified and confirmed.

Secs. 6 7 and 8,
ch. 279, Special
Laws of 1883,
repealed.

SECT. 11. Sections six, seven and eight of chapter two hundred seventy-nine of the special laws of eighteen hundred eighty-three are hereby repealed.

SECT. 12. This act shall take effect when approved.

Approved April 3, 1891.

Chapter 332.

An Act to incorporate the Standish Water and Construction Company.

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

Corporators.

SECT. 1. Tobias Lord, Edward Harding, H. B. Millet, Stephen Hinkley, George F. West, Will F. Perkins, E. C. Hersey and E. B. Cummings, with their associates and successors, are hereby created a corporation by the name of the Standish Water and Construction Company, for the purpose of supplying the towns of Standish and Gorham and such other towns in the county of Cumberland as it shall hereafter contract for or with, under the provisions of this act, with pure water for domestic, fire and sanitary purposes, and for the purpose of building and acquiring waterworks in said county of Cumberland.

—corporate
name.

SECT. 2. Said corporation may take and hold by purchase, lease or otherwise, such an amount of real and personal estate as may be necessary and convenient for its purposes.

May take real estate.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid, to take and use the waters of Saco river and Sebago lake, in said county, or to obtain a supply of said waters by contract or lease with any other water company now supplying water to any towns in said county, subject, nevertheless, to existing contracts, liabilities, limitations and restrictions on such company, and may also erect and maintain pumps, machinery and other fixtures necessary for the purposes aforesaid, provided, however, that said corporation shall not take water from Sebago lake or any of the tributaries thereof for use in any town not bordering on said lake or its tributaries, nor shall it obtain, by purchase, contract, lease or otherwise, water drawn from said lake, or its tributaries, except for use in such towns as the company, or companies, from which such water may be obtained, now have the right to supply with said water, and then only to be used for the purpose aforesaid.

Authorized to take water from Saco river and Sebago lake.

—proviso.

SECT. 4. Said corporation is hereby authorized to carry its pipes under or over any bridge, street, railroad, highway or other way, and to enter upon and excavate any highway or other way, when necessary therefor, in such manner as least to obstruct the same, and shall replace said street or highway and make the same as good as before, and said corporation shall in all respects repair and make good any damage occasioned by the laying of said pipes and the opening of said street, and shall be liable to pay to said towns all sums recovered against them, or either of them, for damages from obstruction caused by said corporation, and reasonable counsel fees expended by said towns in defending such suits. Said corporation may pass over and excavate any land, and take and hold, by purchase or otherwise, any real estate, rights of way, or of water, necessary for the purposes of the company, and in general, do any act necessary for carrying out the purposes herein specified. But no rights in or to the waters of Presumpscot river, or any of its tributaries or sources, shall be so, or otherwise acquired. Nor shall rights to the water of Sebago lake or its tributaries be so or otherwise acquired, save for the purposes for which permission is

May carry pipes under or over any bridge, street, etc.

—may take land, etc.

—shall not acquire rights in Presumpscot river.

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hereinbefore given to said corporation to use the waters of said lake and tributaries.

Damages, how ascertained in case of disagreement.

SECT. 5. Said corporation shall be held liable to pay all damages sustained by any person or corporation in property by the taking of any land, right of way, water sources, water, water right or easement under authority of this act, and if any person or corporation sustaining damages as aforesaid cannot agree with this corporation upon the sum to be paid therefor, such damages shall be ascertained in the manner now provided by law in the case of damage by the laying out of railroads.

Capital stock.

SECT. 6. The capital stock of said corporation shall be one hundred thousand dollars, and may be increased as required for the purposes of said corporation to an amount not exceeding one million dollars, and shall be divided into shares of one hundred dollars each, and shall be issued from time to time as required for the purposes of said corporation.

May purchase, lease, etc., property of any other water company.

SECT. 7. Said corporation is hereby authorized and empowered, subject to the limitations and restrictions aforesaid, to purchase, lease, acquire and hold the pipes, property, fixtures, stock and franchises of any company now supplying any town or village corporation within the county of Cumberland with pure water for domestic, fire and sanitary purposes, and may take the assignment and conveyance of any contract heretofore or hereafter made for the purpose of supplying any town, individual or corporation with water for any of said purposes, and may take the place of any party to said contract and perform in the name and behalf of said party all the duties imposed by said contract, and shall continue to supply water from the same source as at the date of the passage of this act, and may receive all benefits which may accrue therefrom, provided, that nothing in this act shall authorize said company to supply water to the city of Portland. Said corporation is further authorized to issue its bonds for the construction of its works and for the purposes of its incorporation upon such rates and time as it may deem expedient and in such amount as may be required for the objects of its incorporation, and to apply said bonds and its capital stock for the construction of its works and in payment of the purchase or lease of any property, fixtures, stock or contracts which it may require under the provisions of this act.

—may issue bonds.

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SECT. 8. Said corporation may enter into all necessary contracts with any municipal or other corporation, and with individuals, for the purpose of supplying water as contemplated by this act, for the use of the streets of any town or village, for the purpose of supplying the same with water for municipal and other purposes, and for such exemption from public burdens as said corporation and any town or village corporation may agree; which agreements, when made, shall be legal and binding upon all parties hereto.

May make contracts to supply water and secure exemption from taxation.

SECT. 9. The first meeting of said corporation may be called by written notice thereof, stating the time and place of said meeting, signed by two of said corporators, and served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, seven days at least before the call of said meeting.

First meeting, how called.

SECT. 10. This act shall take effect when approved.

Approved April 8, 1891.

Chapter 333.

An Act concerning the reversion of the Old Town Toll Bridge to the State of Maine, and establishing a highway over said bridge.

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

SECT. 1. That by virtue of the provisions in the several charters and acts relating to the Old Town Bridge Corporation, and at the time hereinafter designated, the land agent is hereby directed to declare and accept on behalf of the state, the reversion to the state of all the property and title in the toll bridge across the Penobscot river at Old Town, with all the approaches and appurtenances thereto, now operated by said Old Town Bridge Corporation, and that said bridge shall be henceforth a public highway, subject to all the provisions of law appropriate to such highways, and to be supported and maintained by the city of Old Town and the town of Milford, in proportion to their respective state valuations of eighteen hundred and ninety-one, and of such subsequent valuations as the state shall fix from time to time.

Land agent, authorized to accept for the state, the reversion of the toll bridge at Old Town.

SECT. 2. The maintenance and repair of such bridge shall be under the joint supervision and control of the municipal

Maintenance of bridge.