

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

CHAP. 46

—may hold
real estate.

—capital
stock.

—first
meeting.

said county and have such damages assessed as is provided by law in cases wherein land is taken by railroads. Failure to apply for damages within said two years shall be held as a waiver of the same. Said company for all its said purposes may hold real and personal estate sufficient, necessary and convenient therefor. The capital stock of said company shall be four thousand dollars and shall be divided in shares of fifty dollars each. The first meeting of said corporation may be called by a notice signed by any two of the incorporators, posted for five days before the day fixed for the meeting, in the post office in the village of South West Harbor, in said town of Tremont.

Section 2. This act shall take effect when approved.

Approved February 21, 1899.

Chapter 46.

An Act to incorporate the Hebron Water Company.

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

Corporators.

Section 1. William E. Sargent, Henry K. Stearns, A. R. Crane, Frank R. Glover, Percival Bonney, Sylvanus Bearce and W. S. Bearce, with their associates and successors, are hereby made a corporation under the name of the Hebron Water Company, for the purpose of supplying the inhabitants of the town of Hebron with suitable water for industrial, domestic, sanitary and municipal purposes, including the extinguishment of fire; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

—corporate
name.

—purposes.

May take
water in
Paris and
Hebron.

—construct
dams, etc.

—height of
dam fixed.

Section 2. For any of the purposes aforesaid, the said corporation is hereby authorized to take and use water from Hall's pond in the town of Paris, or from any spring, brook or other waters in the town of Hebron; to conduct and distribute the same into and through the said towns of Paris and Hebron; and to survey for, locate, construct and maintain suitable and convenient dams, reservoirs, buildings, machinery, lines of pipes, aqueducts, structures and appurtenances. It is expressly provided that any dam constructed at the outlet of Hall's pond shall not exceed three and one-half feet in height measured from the present bed of the outlet from said pond.

May lay
pipes, etc.,
along high-
ways.

Section 3. The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets and bridges in the said towns

of Paris and Hebron, and to take up, replace and repair all such aqueducts, pipes, hydrants and other structures and fixtures as may be necessary and convenient for the said purposes of said corporation; and the said corporation shall be responsible for all damages to the said towns and to all corporations, persons and property, occasioned by such use of the said highways, ways and streets. Whenever the said corporation shall lay down or construct any fixtures 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 pavement then removed by it to be replaced in proper condition.

—responsible for all damages.

—shall not obstruct public travel.

Section 4. The said corporation is hereby authorized to take and hold, by purchase or otherwise, any lands necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, lines of pipe, hydrants and other necessary structures or fixtures, in, over and through any land for the said purposes, and excavate in and through such land for such location, construction and erection. And in general to do any acts necessary, convenient or proper, for carrying out any of the said purposes of incorporation. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds for the county of Oxford, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than one rod in width of land shall be occupied by any one line of pipe or aqueduct.

May take lands for flowage, etc.

—shall file plan of location in registry of deeds.

Section 5. Should the said corporation and the owner of any land required for the said purposes of incorporation, be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may, within twelve months after the said filing of plans of location, apply to the commissioners of said county of Oxford, and cause such damages to be assessed in the same manner and under the same conditions, as are prescribed by law in the case of damages by the laying out of railroads. If the said corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sums as may be finally awarded as damages, with cost when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of the said county, the said location shall be thereby invalid and the said corpora-

Damages, how assessed in case of disagreement.

—location invalid, if damages are not paid.

CHAP. 46 tion shall forfeit all rights under the same, as against the owner of the land. The said corporation may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than was tendered him by the said corporation, he shall recover cost, otherwise the said corporation shall recover cost. In case the said corporation shall begin to occupy such land before the rendition of final judgment, the land owner may require the said corporation to file its bond to him with the said county commissioners, in such sums and with such sureties as they may approve, conditioned for the payment of the damages that may be awarded. No action shall be brought against the said corporation for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid. Failure to apply for damages within the said twelve months, shall be held to be a waiver of the same.

Company must file bond, if land is occupied before rendition of final judgment.

May make contract to furnish water to town.

—town may contract for water and exempt from taxation.

Penalty for corrupting water or injuring works.

Capital stock.

May hold property to amount of \$25,000.

May issue bonds and mortgage property.

Section 6. The said corporation is hereby authorized to make contracts with the town of Hebron, with the inhabitants thereof, or any person or corporation public or private, for the supply of water for the purposes contemplated in this act; and the said town and corporations by their proper officers, are hereby authorized to enter into contract with the said corporation for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burdens as the said town and the said corporations may agree upon, which when made, shall be legal and binding upon all parties thereto.

Section 7. Whoever shall knowingly or maliciously corrupt the water supply of said corporation, whether frozen or not, or in any way render such water impure, or whoever shall willfully or maliciously injure any of the works of the said corporation, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to the said corporation for three times the actual damage, to be recovered in any proper action.

Section 8. The capital stock of the said corporation shall be ten thousand dollars, which may be increased to any sum not exceeding twenty-five thousand dollars by a majority vote of the stockholders of the said corporation; and the stock shall be divided into shares of fifty dollars each.

Section 9. The said corporation for all its said purposes, may hold real and personal estate necessary and convenient therefor, to the amount of twenty-five thousand dollars.

Section 10. The said corporation may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not to exceed the amount of its capital stock, and secure the same by mortgage of its franchise and property.

Section 11. The first meeting of said corporation shall be called by a written notice thereof, signed by any one of the named incorporators, served upon each named incorporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the time of meeting, or by mailing such notice, postage paid, to each incorporator directed to his place of residence seven days at least before the time of said meeting.

Section 12. This act shall take effect when approved.

Approved February 21, 1899.

CHAP. 47

First meeting.

Chapter 47.

An Act to authorize the construction of a dam at the outlet of the mill pond at New Harbor in the town of Bristol.

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

Lyman W. Hanna and William Mears, Junior, their heirs, successors and assigns are hereby authorized and empowered to build and maintain a dam at the outlet of the mill pond, so called, at New Harbor in the town of Bristol, and use said mill pond as a lobster pound, so far as such use does not conflict with the fish and game laws now existing or hereafter enacted. There shall be a suitable waterway in said dam to admit from time to time the inflow and outflow of tide water, and the purity of the water and a cleanly condition of the shores of said mill pond shall be preserved.

Lyman W. Hanna, et als., authorized to dam and use pond as a lobster pound.

—purity of water shall be preserved.

Approved February 21, 1899.

Chapter 48.

An Act to provide in part for the Expenditures of Government for the year eighteen hundred and ninety-nine.

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

Section 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and ninety-nine, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice

Act of appropriation.