

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1861.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1861.

CHAP. 79.

Records, &c., where to be kept.

said municipal court might have done had not this act been passed.

SECT. 18. The records and papers of the said municipal court shall upon the abolition of said municipal court, be deposited with and kept by the judge of the court established by this act, and he shall grant and certify copies of said records when required, which shall be evidence of the contents thereof in any legal proceeding. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

SECT. 19. This act shall take effect upon its approval by the governor.

[Approved March 14, 1861.]

Chapter 79.

An act additional to and amendatory of an act to supply the people of Rockland with pure water, passed August twenty-second, eighteen hundred and fifty.

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

Act of incorporation approved Aug. 22, 1850, amended.

SECT. 1. That the Rockland Water Company provided for by said act is hereby authorized and empowered to take, hold and convey in the manner provided for therein, as well the water of Oyster river pond in Camden, as of said Tolman's pond into and through the city of Rockland and town of Thomaston, and also from said city of Rockland into the towns of Camden and South Thomaston, not exceeding one mile from the boundary line of said Rockland; and the said corporation shall have the same rights, powers and privileges and be subject to the same liabilities, limitations and conditions and be answerable to parties injured thereby in the same manner in respect to taking and conveying the said waters, as are provided for in said act, in respect to taking and appropriating the water of Tolman's pond. And instead of the remedies for the recovery of damages provided in this act, any party injured by the taking, using or appropriating by said company of the waters of Oyster river pond or Oyster river stream or any land or material hereafter taken or used or flowed by the erection or making any of the works of said company, to draw or use the water from Oyster river pond or Oyster river stream, may have and pursue the same remedies as is provided by chapter ninety-two of the revised statutes in the case of flowing lands and diverting water to supply mills and the mode of obtaining damages thereof.

Rights, powers, privileges, &c.

Damages, how determined.

Authorized to take water from certain ponds.

SECT. 2. The said corporation is hereby empowered to take, use and appropriate water from both or either of said ponds, for sup-

plying the people of said city and towns with pure water and for all necessary and useful purposes subject to the liabilities provided for by said act.

SECT. 3. Said corporation is hereby authorized to supply the inhabitants of the villages of West Camden and Rockville, in the town of Camden, with water from said Oyster river pond.

Authorized to supply inhabitants of Camden, with water.

SECT. 4. The provisions of the tenth section of the act to which this is additional, shall be in force and have application in respect to the waters of Oyster river pond as to those of Tolman's pond, and also in respect to any wilful injury of any dam, reservoir, aqueduct, pipe or other property which may be held, owned or used by said corporation in pursuance of the powers herein granted.

Sect. 10, act of 1850, shall be in force, for certain purposes.

SECT. 5. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred and fifty thousand dollars.

May hold real or personal estate.

[Approved March 14, 1861.]

Chapter 80.

An act to incorporate the Magalloway River Dam Company.

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

SECT. 1. John Lynch of Portland, Augustus C. Barker of Albany, and Albert H. Gerrish of Bethel, all in the State of Maine, their successors and assigns, are hereby created a corporation by the name of the Magalloway River Dam Company, with all the powers, rights and privileges, and subject to all the liabilities of similar corporations.

Corporators.

Corporate name.

Powers, privileges, &c.

SECT. 2. Said corporation is hereby authorized to construct and maintain two dams across the Magalloway river, in the county of Oxford, in this state. One of said dams to be across the said river at the outlet of the Parmachena lake, in township number five in range four, and the other dam across Ozcohas falls, in township number five, range two, and also to erect and maintain a boom on said river at some suitable point near the foot of said Ozcohas falls, which will facilitate the transportation of logs and other timber over said falls and down said river, to enter upon and take such lands or materials as may be necessary to make their said improvements, and to flow such land as far as it may be necessary to accomplish this object, *providing* said corporation shall pay to the owners of such lands and materials so taken, such compensation as the

Authorized to construct dams.
Location.

Authorized to erect boom.

May take lands, &c.

—and flow same.
Proviso.