

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE.

1868.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1868.

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of the board subsequent to the acceptance of this act, shall be a full and sufficient notice for a meeting of the board of president and trustees hereby created; and the board created by this act shall also at its first meeting provide for the first meeting of the board of overseers by giving such notice as they may deem proper.

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to be sufficient notice for meeting of new board.

SECT. 17. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Acts inconsistent, repealed.

SECT. 18. This act shall take effect from and after its approval by the governor; and after at a meeting legally held it shall have been accepted by the president and trustees of Bates College.

When to take effect.

Approved February 14, 1868.

### Chapter 497.

An act additional to an act entitled "an act to supply the people of Portland with pure water."

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

SECT. 1. Any contract or stipulations which may be made by the city council of Portland on behalf of said city, and the Portland Water Company, as a condition of giving the consent of said city council, required in the ninth section of chapter one hundred and fifty-nine of the special laws of the year one thousand eight hundred and sixty-six, entitled "an act to supply the people of Portland with pure water," shall be binding on the parties thereto.

Conditional contracts, &c., of city council with Water Co. made binding.

SECT. 2. The city council may embody such conditions and stipulations as may be agreed on by said parties, and may be deemed necessary to protect the interest of the inhabitants of said city in the ordinance by which the consent required in said ninth section shall be given, and such ordinance shall be binding on said water company. But nothing in such ordinance contained shall relieve said company from any of the duties and liabilities imposed by said act to which this act is additional.

Conditions imposed by ordinance of city council to be binding on Water Co.

SECT. 3. In addition to all legal remedies which may at any time exist, the supreme judicial court shall have jurisdiction in equity, to compel the performance of all such conditions and stipulations, or of any contract or agreements made by said city and said company by virtue of such conditions and stipulations; and for this purpose it may grant injunctions and make decrees of specific performance by said company of such conditions, stipulations and contracts, upon a summary hearing, and from time to time modify such injunctions and decrees as the case may require,

Power of S. J. Court in compelling performance of contracts, &c.

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in accordance with the rules and practice in equity proceedings in relation to injunctions.

Board of commissioners, when appointed and their duties.

SECT. 4. After the city council of Portland shall have given its consent for said company to lay their pipes in the streets, as provided in section nine of the act aforesaid, and shall have entered into a contract with the said company as authorized to do by this act, the mayor and aldermen of said city, at any time thereafter, may and are hereby authorized and empowered to appoint a board of commissioners, consisting of three citizens of Portland, whose duty it shall be to see that the regulations made by virtue of said act, and the terms and conditions agreed upon between the city and said company are punctually observed and performed.

How appointed, and their term of office.

Such commissioners shall be appointed by nomination by the mayor and confirmation by the board of mayor and aldermen. One shall be appointed for one year, one for two years, and one for three years, so that one shall go out of office annually at the same time at which the term of office of the mayor expires. When the term of any commissioner expires, a new appointment shall be made in the same manner, for the term of three years. When a vacancy occurs in any other manner, an appointment shall be made for the balance of the term.

Time for completion, extended.

SECT. 5. The time allowed by law to said company for the completion of its works is hereby extended to two years from the passage of this act.

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

Approved February 14, 1868.

### Chapter 498.

An act to incorporate the Eastern Peat Company.

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

Corporators.

SECT. 1. N. A. Farwell, Francis Cobb, John Esten, C. G. Moffit, D. C. Smith and John T. Berry, their associates and assigns, are hereby created a body politic and corporate, by the name of the Eastern Peat Company, with all the powers, rights, privileges and authority to do all acts necessary for the successful prosecution of the business of said corporation, not inconsistent with the laws of this state, subject to all the liabilities of similar corporations.

Name, powers, &c.

Purpose.

SECT. 2. This corporation is authorized to dig and prepare peat for fuel or other purposes, in the town of Jonesport, or such other places as they may elect, and dispose of the same in such manner,