

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## FORTY-EIGHTH LEGISLATURE

OF THE

## STATE OF MAINE.

1869.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1869.

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**CHAP. 204.**

be within the power, and according to the course of proceedings of courts of equity, as the necessities of the case may require.

Directors and other officers, neglect to choose.

Selectmen may appoint.

SECT. 9. If said manufacturing company shall, after notice of possession as aforesaid, neglect to choose directors thereof, or any other necessary officers, or none such shall be found, the selectmen shall appoint a board of directors consisting of not less than five persons, or any other necessary officers, and the persons so appointed shall have all the authority and power of officers chosen or appointed under the provisions of the act establishing said company, and upon their acceptance such officers shall be subject to all the duties and liabilities thereof.

Liabilities of town, lien, &c.

SECT. 10. As an additional or accumulative protection for said town, all liabilities which by said town may be assumed or incurred under or by virtue of any provisions of this act, shall at the time, and by force thereof, and for the security and payment of the same, create in favor of said town a lien on said water power, its franchise, and of all its appendages, and all real and personal property of said manufacturing company, which lien shall have the preference and be prior to all other liens and incumbrances whatever, and shall be enforced, and the rights and interest of said town protected, when necessary, by suitable and proper judgments, injunctions or decrees of said supreme judicial court, on a bill or bills in equity, which power is hereby specially conferred on said court.

Acceptance of act.

SECT. 11. This act shall not take effect unless it shall be accepted by said company, and by a vote of the inhabitants of said town, voting in meeting duly called according to law, within three years after the approval of this act by the governor; and at least two-thirds of the votes cast at such meeting shall be necessary for the acceptance of this act. The town clerk shall make a record thereof, and if the act shall be accepted as aforesaid, then after such acceptance and record thereof, all the parts of the act shall take effect and be in full force thereafter on said town.

Record of proceedings by clerk.

Approved March 3, 1869.

## Chapter 204.

An act to enable Charles A. Nealley to build his wharf into tide waters of Penobscot river, in Brewer.

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

Building of wharf into tide waters, authorized.

SECT. 1. Charles A. Nealley and his heirs and assigns, are hereby authorized to build and maintain a wharf in Brewer, upon the margin of Penobscot river, upon his land lying between the

land of Charles E. Dole on the south, and Davis R. Stockwell and Co. on the north, and extend the same into the river to the distance not exceeding two hundred twenty-five feet from ordinary high water.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1869.

CHAP. 205.

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### Chapter 205.

An act to enlarge the jurisdiction of the municipal courts of the cities of Saco and Biddeford.

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

The municipal courts of the cities of Saco and Biddeford, shall have original jurisdiction concurrent with the supreme judicial court, in all civil actions where the debt or damages do not exceed one hundred dollars, in which any party defendant to the action shall reside, or, if not an inhabitant of the state, shall be comorant in the county of York.

Limit of jurisdiction.

Approved March 3, 1869.

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### Chapter 206.

An act relating to the collection of subscriptions and assessments by the Belfast and Mooshead Lake Railroad Company.

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

SECT. 1. The Belfast and Mooshead Lake Railroad Company, in addition to the remedy already provided for the collection of the subscriptions to its capital stock and assessments made by said company, shall have the right to maintain an action of special assumpsit in the name of said company to enforce payment of such subscription or assessment. And such action shall be maintained if the terms and conditions of the subscription to the capital stock of said company and the assessments upon it have been substantially complied with; and shall not be defeated by any mere informality in organizing said company or in electing its officers, or other merely informal act of the company or of any of its officers.

Subscriptions and assessments, remedy for collection of.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1869.