

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 28, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1873.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1873.

CHAP. 382.

SECT. 3. Section four of said chapter is hereby amended so that said section as amended shall read as follows :

Capital stock.

'SECT. 4. The capital stock of said corporation shall not exceed three hundred thousand dollars, to be divided into shares of one hundred dollars each, to be issued from time to time as its interests require, but not for less than par.'

SECT. 4. Section five of said chapter is hereby amended so that said section as amended shall read as follows :

Highways occupied by railroad, how repaired.

'SECT. 5. Said corporation shall keep and maintain in repair such portion of the town or highways as shall be occupied by the track of its railroad ; but changes of its grade rendered necessary by the change of grade of any of said ways, shall be made at the expense of said city or town, and not of said corporation.'

Corporation property exempt from taxation.

SECT. 5. The city of Rockland and the town of Thomaston are hereby authorized to exempt from taxation, the real estate and personal property of said corporation for a period not exceeding ten years from the first day of April eighteen hundred and seventy-four.

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

Approved February 26, 1873.

Chapter 382.

An act to incorporate the town of West Waterville.

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

Boundary of territory.

SECT. 1. All that part of the town of Waterville lying westerly of the following described line, namely : commencing in the north line of the town of Sidney, about two miles west of Kennebec river, in the range of the west line of the second mile rangeway in Waterville ; thence northerly in said west line of said rangeway to the centre of the cross road leading from Emerson bridge to West Waterville village ; thence northerly on the westerly line of said second mile rangeway road to the south line of the McKecknie road ; thence westerly in the south line of said McKecknie road about forty rods to the east line of Henry J. Morrill's land ; thence northerly in the east line of said Morrill's land, and in the same course, to the southerly line of the Marston road ; thence westerly in the southerly line of said Marston road to the thread of the Emerson stream ; thence westerly down the thread of said stream to the mouth of the Toby brook, thence up said Toby brook to the south line of the town of Fairfield, is hereby incorporated into a separate town, by the name of West Waterville,

Corporate name.

and the inhabitants thereof are hereby invested with all the powers and privileges, and subject to the duties and liabilities, incident to other towns in this state.

CHAP. 382.

Powers, privileges and liabilities.

SECT. 2. The several inhabitants of the town of West Waterville shall be holden to pay all taxes which have been legally assessed upon them by the town of Waterville, and the several collectors of taxes for said town of Waterville are hereby authorized and required to collect and pay all taxes to them already committed according to their respective warrants. All moneys now in the treasury of said town of Waterville, and all sums which shall hereafter be received from taxes heretofore assessed, shall be applied to the several purposes for which they were raised, and in case of any excess, said excess shall be applied by the treasurer of Waterville in payment of the indebtedness of said town of Waterville.

Taxes, how collected and paid.

Moneys, how applied.

SECT. 3. Said town of West Waterville shall be holden to pay the said town of Waterville three-tenths part of all debts and liabilities of said Waterville now existing, upon contract or otherwise, less five thousand dollars, on account of Ticonic bridge debt, or which may hereafter arise in consequence of any and all suits at law pending for or against said town, or which may hereafter be commenced on any cause of action which may now exist against said town of Waterville, the same to be paid to the town of Waterville when said liabilities occur, and all actions now pending, shall be prosecuted to final judgment unless otherwise ordered by the concurrence of the municipal officers of the two towns.

Adjustment of debts.

SECT. 4. The inhabitants of said towns shall continue to hold and enjoy in common all rights and privileges hitherto belonging to the inhabitants of Waterville in any and all public cemeteries within the limits of said towns.

May hold and enjoy certain rights in common.

SECT. 5. The several school districts divided by this act shall be subject to all the provisions of law applicable to school districts composed of parts of towns.

School districts.

SECT. 6. All persons hereafter becoming chargable as paupers shall be chargable to that town on whose territory they last resided, but past residence as a pauper on the town farm of Waterville is hereby excepted.

Paupers.

SECT. 7. The obligations imposed on the town of Waterville by the special act of the legislature, approved January twenty-first, in the year of our Lord eighteen hundred and seventy, shall not be changed, nor those of the town of Winslow increased by this act, but said town of West Waterville shall in no way be subject to said obligations.

West Waterville exempt from certain obligations.

SECT. 8. The two towns shall form one representative district till otherwise provided by law. And the state valuation of Waterville shall be reduced three-tenths, and the state valuation of West

State valuation adjusted.

CHAP. 382. Waterville shall be three-tenths the state valuation of Waterville for eighteen hundred and seventy, and all state and county taxes hereafter shall be assessed accordingly.

Commissioners to appraise property of town, how appointed.

—duties of.

—shall ascertain number of paupers.

—shall make award.

Adjustment by award.

Paupers.

Award of commissioners to be final.

Moneys awarded, when paid.

Matters in case of disagreement of commissioners, how adjusted.

SECT. 9. The justice of the supreme judicial court who shall hold the term of said court at Augusta, within and for the county of Kennebec, on the first Tuesday of March, in the year of our Lord eighteen hundred and seventy-three, after notice to both parties, shall appoint three disinterested persons a board of commissioners; and fill any vacancy in the board occurring at any time, who shall as soon as may be practicable proceed to examine all the personal property except the books and records, the town house and lot, the town farm and wood lot, and all other real estate owned by the present town of Waterville except the public cemeteries, and appraise the same; and they shall ascertain the number of paupers supported in whole or in part by the town of Waterville at the time this act takes effect; and said commissioners, after hearing the parties, shall, in writing, make an award in relation to any of the matters herein submitted to them, which award shall be deposited by said commissioners with the clerks of said towns, and be entered upon the records of said towns; and said awards shall determine what division of the personal property, and the real estate of the town, except the public cemeteries, books and records shall be made, and to which town each article and parcel of real estate shall be made, and to which town each article and parcel of real estate shall belong; for all articles and parcel of real estate awarded to the town of Waterville, said town of Waterville shall pay to said town of West Waterville three-tenths the value thereof, as appraised by said commissioners; for each article and parcel of real estate awarded to the town of West Waterville, said town of West Waterville shall pay to said town of Waterville seven-tenths the value thereof, as appraised by said commissioners; said awards shall be held to convey the property so awarded to each of said towns. In the division of paupers, said commissioners shall award to each town to support those, as near as may be, who resided on the territories of each when they last became paupers, and in regard to those whose residence cannot be ascertained they shall make an equitable division. And said commissioners shall make an award in regard to all matters and questions arising by reason of the division of said town, not herein specially provided for, and upon either and all of said matters the said awards shall be final; and all sums of money so awarded by said commissioners shall be paid within six months from the date of said awards. In case said commissioners shall not unanimously agree upon an award in any of the matters herein submitted to them, they shall submit the matter of disagreement to the county commissioners of Kennebec county, who shall examine the matter

in relation to which the disagreement arises, after notice to and hearing of both parties, and shall make their award and return it to the town clerks of said towns, to be recorded in like manner and with like effect as an award of the commissioners first named.

SECT. 10. The records and papers of the town of Waterville shall be hereafter retained by said town, and each town have access to the same.

Waterville to retain records and papers.

SECT. 11. Any justice of the peace may call the first meeting of the town of West Waterville by posting a warrant therefor, stating the objects of said meeting, in three public and conspicuous places in said town at least seven days before the time of holding said meeting.

First meeting of West Waterville, how called.

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

Approved February 26, 1873.

Chapter 383.

An act for the consolidation of certain railroads.

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

SECT. 1. The Portland and Kennebec, the Somerset and Kennebec, the Androscoggin, and the Leeds and Farmington Railroad Companies, whose roads are now leased to and operated by the Maine Central Railroad Company are hereby authorized to consolidate said companies, or such of them as elect so to do, with the Maine Central Railroad Company, into one corporation, upon the principles, in the manner, and upon the terms and conditions, so far as the same may be applicable, of the act of April one, eighteen hundred and fifty-six, entitled "an act to authorize the consolidation of certain railroad corporations," under which the Penobscot and Kennebec, and the Androscoggin and Kennebec have become consolidated.

Consolidation of certain railroads.

SECT. 2. No suit, action, or other proceeding now pending before any court or tribunal, in which any railroad company that may be so consolidated is a party, shall be deemed to have abated or discontinued, by reason of any such agreement of consolidation; but the same may be prosecuted to final judgment in the same manner as if the said corporation had not entered into such agreement of consolidation; *provided*, that the existing rights of stockholders to any of their lines shall not be impaired, and that this act shall not apply to any pending suit.

Actions pending, not affected.

Proviso.

SECT. 3. This act shall take effect when approved.

Approved February 26, 1873.