

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1878.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1878.

CHAP. 64.

Powers, privileges, duties, &c., to be exercised by aldermen.

Inconsistent acts repealed.

SECT. 2. All powers, rights and privileges granted, and all duties and obligations imposed by said charter, and subsequent amendments upon said common council, shall hereafter be exercised and performed solely by the board of aldermen.

SECT. 3. All provisions in said charter inconsistent with the above sections are hereby repealed.

SECT. 4. This act shall take effect when approved.

Approved February 15, 1878.

Chapter 64.

An act to incorporate the Presumpscot Water Power Company.

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

Corporators.

SECT. 1. Samuel D. Warren and Charles Fairchild of Boston, and Samuel H. Lisk, Nathan Weston, Dennis W. Clark and William R. Wood of Portland, Lewis P. Warren, William L. Warren and George L. Warren of Westbrook, and William A. Russell of Lawrence, their associates and successors, are hereby constituted a body corporate, by the name of the Presumpscot Water Power Company, and shall have and enjoy all the rights and powers of similar corporations, and may have a capital stock not exceeding fifty thousand dollars.

Corporate name.

Capital stock.

First meeting, how called.

SECT. 2. Any two of the persons above named may call the first meeting of the corporation, by publishing the time and place thereof seven days previously in the Portland Daily Press, or any other daily in the city of Portland, at which meeting a president, treasurer, clerk and directors may be chosen, and by-laws adopted, and any corporate business transacted.

Officers.

By-laws.

Powers and purposes.

SECT. 3. Said corporation is authorized, whenever it becomes owner of the lands and privileges at Wescott's falls, in the towns of Standish and Windham, on the head of the Presumpscot river, now owned by S. D. Warren, to build, maintain, keep up, repair, rebuild, raise and extend the present dam or other dams at or upon said Wescott's falls; and the said dams may be built or raised to the height of five feet above the present top of said dam, and shall be maintained for the purpose of raising a head of water for the use

of factories, for the purpose of supplying the city of Portland with water, for the purpose of storing up water in Lake Sebago and its tributary ponds, in order to increase and regulate, but not unnecessarily to obstruct, the flow of water on the Presumpscot river, for the benefit of all the water powers and mill privileges on said river, and for any other lawful purpose. And said corporation is hereby authorized, by means of said dam as improved, to flow and raise the water as aforesaid, and the same to regulate, draw, use and occupy, in whole or in part, either upon said dam or in canals, basins or sluices made therefor, for the purposes above mentioned.

SECT. 4. That for the purposes named in this act, said corporation is authorized to purchase, have, hold and enjoy, in fee simple, or any less estate, lands, tenements and estates, real, personal or mixed, to the amount of fifty thousand dollars, with the right to sell and convey the same in any form.

May purchase, hold and convey real and personal estates.

SECT. 5. The capital stock shall be fixed at the first meeting, at twenty thousand dollars, and shall not be afterwards increased without the previous consent of at least three-fourths of the capital stock outstanding, nor shall the dam be raised, or any liabilities beyond the sum of five thousand dollars in the aggregate, be incurred, or any act or thing done which will involve the corporation in any liabilities in excess of said sum, nor any leases made, or sales of real estate or privileges made, without the previous consent of at least three-fourths of all the capital stock outstanding.

Capital stock.

Aggregate of liabilities.

SECT. 6. The Marblehead Water Power Company, chartered by special law of eighteen hundred and sixty-nine, chapter fifty-one, is authorized to surrender its charter, by vote of its stockholders, of which vote a copy, duly certified by its secretary, shall be filed with the secretary of state.

Marblehead Water Power Company authorized to surrender charter.

SECT. 7. Nothing in this act shall impair, or give authority to take away, impair or diminish any right of any person or corporation to hoist or shut the gates on the basin dam at the head falls, where the waters of Sebago pond enter the Presumpscot river, or to regulate, control or use the water flowing through said gates, or any legal right to the flow and use of the waters of Presumpscot river, except of persons or corporations expressly consenting that such rights may be taken, impaired or diminished; *provided*, that nothing in this section

Rights not affected, except by consent of parties.

Proviso.

CHAP. 65. or act shall be construed as affecting, by implication or otherwise, any question as to whether such rights, or any of them, exist, or any question of their nature or ownership.

Approved February 15, 1878.

Chapter 65.

An act to prohibit the taking of Fish from Field's pond, in the town of Orrington, and from Brewer's pond, in the towns of Orrington and Bucksport.

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

Taking fish from certain waters, except with hook and line, prohibited.

SECT. 1. All persons are forbidden to take fish of any kind from Field's pond, in the town of Orrington, and from Brewer's pond, in the towns of Orrington and Bucksport, in the counties of Penobscot and Hancock, except with a single hook and line.

Penalty for violation, how recovered.

SECT. 2. Any person violating the provisions of this act shall forfeit and pay the sum of five dollars for each fish taken, to be recovered, on complaint, before any trial justice in said counties, or before any court having jurisdiction in the case, one-half to the use of the complainant, and one-half to the use of the town in which the offense is committed.

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

Approved February 19, 1878.

Chapter 66.

An act to prevent the throwing of refuse into the tributaries of Wilson pond.

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

Throwing refuse into certain water, prohibited.

SECT. 1. It shall be unlawful for any owner of mills on the streams of water flowing into Wilson pond, in the city of Auburn, or any person or persons employed in or about said mills, to cast or throw any shavings, sawdust or other rubbish into the waters of said streams, or allow the same to be deposited in such a manner that it may be washed therein.

Penalty for violation, how recovered.

SECT. 2. If any person or persons shall violate the provisions of section one of this act, he or they shall be subject