

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

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1879.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1879.

Chapter 153.

CHAP. 153.

An Act to authorize Dams and Embankments in the town of Byron, in Oxford County, to prevent the water of Swift River from injuring the public highway.

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

SECT. 1. The inhabitants of the town of Byron, in the county of Oxford, are hereby authorized to construct, maintain and keep in repair, dams and embankments, at such places in said town as may be necessary to confine the water of Swift river in its proper channel, and to keep said water from injuring the public highway in said town, and for said purpose may at all times enter upon and take such land and material as may be required in constructing, maintaining and keeping in repair such dams and embankments: provided, however, said inhabitants of Byron shall pay the owner of such land or material so taken such sum as the parties may agree upon, and in case the parties fail to agree upon the amount of damage or value of the property so taken, said inhabitants of Byron shall pay such damage as may be adjudged by the county commissioners of the county of Oxford, be ascertained in the same manner and under the same conditions and liabilities as are now or may hereafter be provided by law in case of damage by the laying out of public highways, and for the purpose of this act, said inhabitants of Byron may raise and appropriate money in the same manner as is provided by law for constructing or repairing highways.

SECT. 2. The selectmen of said town of Byron, or their successors in said office, on request of five or more citizens of said town, to locate or construct dams or embankments in said town, for the purposes aforesaid, shall forthwith appoint a time and place when they will meet to view the premises, and shall give not less than seven day's notice of the time and place designated, to all parties interested; said notice may be a written notice to the owner of the land on which said proposed dam or embankment is to be constructed; or it may be by posting up said notice in three public and conspicuous places in the immediate vicinity, where said proposed dam is asked to be located.

At the time appointed, said selectmen shall meet, view the premises, hear the parties, and if a decision to locate is made, shall give the owner or owners of the land where said dam or embankment is to be located, if the residence of such owner or owners is known, written notice of their said decision, either by mail or otherwise. Said owner or owners shall have seven days from the time they have notice of such decision, in which to enter with the clerk of said town of Byron, notice of an appeal from the decision of said selectmen, and in case a notice of such an

Inhabitants of Byron authorized to erect embankments and dams on Swift river.

May take land and material.

Proviso.
To pay for land and material.

Damages, how fixed.

May raise and appropriate money.

Selectmen when requested, to meet and view the premises.

Notice.

Notice how given.

Selectmen to meet and view premises at the time appointed.

Proceedings.

Appeal may be taken in seven days.

CHAP. 154. appeal is not so lodged with the clerk, no appeal shall be taken.

Land owners may appeal to county commissioners.

Any land owner aggrieved at the decision of said selectmen as to the aforesaid location, may appeal as aforesaid to the county commissioners of Oxford county, by entering his said appeal with the clerk of said commissioners at Paris, in said county, within ten days after receiving notice of the decision of said selectmen; said clerk shall immediately notify said board of commissioners of said appeal, and said commissioners shall forthwith appoint a time and place within thirty days, when they will view the premises, and hear all interested. The clerk aforesaid, shall notify by letter the said selectmen and the parties taking the appeal, of the time and place designated by the commissioners for hearing the parties; he shall also cause a notice of said hearing to be published one or more times in some newspaper printed in said Oxford county, and shall mail a copy of said paper, with the notice printed therein, to the respective parties.

Clerk to notify commissioners.

Time and place to be appointed.

Selectmen to be notified.

Notice, how given.

Proceedings at the hearing.

At the time of said hearing, said commissioners shall view the premises, hear the parties, after which they may confirm the decision of said selectmen in whole or in part, or may make such new location or locations as is in their judgment necessary, and assess all damages caused by said locations. They shall also cause a report of their doings to be recorded in the clerk's office in said town of Byron, also in their own office. Their said decision as to said location to be final, but not as to damages.

Report to be recorded in town clerk's office.

Decision final.

Dams and embankments—when constructed. Commissioners expenses.

SECT. 3. Said dams or embankments may be constructed before the question of damage is settled.

SECT. 4. The expense of the commissioners shall be included in their regular bills against the county.

Approved February 20, 1879.

Chapter 154.

An Act relating to the Monmouth Mutual Fire Insurance Company.

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

Monmouth Mutual Fire Insurance Company authorized to sell property of one class.

Proceeds, how applied.

SECT. 1. The directors of the Monmouth Mutual Fire Insurance Company of the second-class policies, so called, are hereby authorized to sell, convey and give title to the building and other property belonging to their first-class policies, so called, and apply the proceeds thereof, to the payment of the indebtedness of the said first-class policies.

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

Approved February 20, 1879.