

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA:  
SPRAGUE & SON, PRINTERS TO THE STATE.  
1887.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

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SECT. 2. Any person who shall violate the provisions of this act, shall forfeit and pay the sum of ten dollars for the attempt, and one dollar for each and every such fish so taken, caught, killed or destroyed; to be recovered by complaint before any trial justice, one-half to the complainant and one-half to the county, where proceedings are commenced.

CHAP. 107

—penalty for violation.

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

Approved February 17, 1887.

### Chapter 107.

An Act additional to and amendatory of chapter five hundred and twenty-two of the Private and Special Laws of eighteen hundred and eighty-five, relating to the Camden and Rockland Water Company.

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

SECT. 1. The Camden and Rockland Water Company is hereby authorized and empowered, for the purposes named and embraced in its act of incorporation, and amendments thereto, to take, detain and use, and appropriate water from Hobbs' pond, and Fish's pond, in the town of Hope, in the county of Knox. The authority herein and hereby granted, shall also include and give the right to said corporation, to withdraw water from said Hobbs' pond and Fish's pond for the purpose aforesaid, by pipes and aqueducts, laid directly from said ponds, or either of them, to Oyster River pond, as well as in any other manner.

Camden and Rockland Water Co. authorized to take, etc, water from Hobbs' and Fish's ponds.

SECT. 2. Said corporation shall have the same rights, powers and privileges, in respect to taking, detaining and appropriating water from said Hobbs' pond and Fish's pond, in erecting or maintaining dams and reservoirs, in excavating through any lands, in laying down and maintaining pipes and aqueducts necessary for accumulating, conducting, discharging, distributing and disposing of said water, in taking and holding by purchase or otherwise, any lands, water rights or other property, as are granted or provided for in said act and amendments thereto, relating to the taking of the water of Oyster River pond by said corporation.

May erect dams, etc.

SECT. 3. Said corporation shall be held liable to pay all damages sustained by the owner of any mill privilege on the stream, flowing through the outlet of said Hobbs' and Fish's pond, by reason of reducing the water below the ordinary and

Liability for damages.

CHAP. 107

Damages in case  
of disagreement,  
how ascertained.

usual depth, or in any other way or manner, and shall be held liable to pay all damages that shall be sustained by any person or persons, by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down any pipes and aqueducts, or by building dams, reservoirs or pumping stations, and also all other damages for any other injuries resulting from the acts of the corporation. And if any person sustaining damage as aforesaid, or claiming damages, and said corporation shall not mutually agree upon the sum to be paid therefor, said corporation may file in the registry of deeds of the county of Knox, a description of the land, water-rights or property, on account of which damages are claimed, or which they find it necessary to take for the purposes mentioned in their charter, with a statement of the circumstances under which damages are claimed, or the purposes for which it is to be taken. Said corporation shall thereupon proceed, by complaint to the supreme judicial court for Knox county, making the parties claiming damages, or owning such land, water rights or property, respondents, serving them with a copy of such complaint, at least fourteen days before the sitting of the court at which such complaint is entered. Notice may be ordered by the court on respondents residing out of the state. Joint tenants and tenants in common shall be joined in the complaint. Three disinterested commissioners shall be appointed by the court, who shall be sworn, and upon at least fourteen days' notice, hear the parties, and determine what, if any damages have been and will be sustained by the parties so claiming damages, or may be sustained by the owners of the land, water rights or property, so to be taken, and report to said court their determination. At the term when their report is received, and not later, either party may claim a trial by jury. On such trial the report of such commissioners shall be prima facie evidence of the facts therein contained. If the amount of the damages assessed is less than the amount offered by said corporation, before the commencement of the proceedings, said corporation shall recover full costs against the respondents. Otherwise costs shall be recovered against said corporation. No suit at law or in equity, on account of any of the matters contained in such complaint, shall be maintained against said corporation during the pendency of such proceedings. If said corporation

shall fail to pay or satisfy the final judgment, it may be restrained from further exercising its franchise as against the respondent until such judgment is satisfied.

CHAP. 108

SECT. 4. Section three of the charter of the Camden and Rockland Water Company shall apply to the waters of Hobbs' and Fish's Pond.

Sec. 3 of charter shall apply to Hobbs' and Fish ponds.

SECT. 5. This act shall take effect when approved.

Approved February 17, 1887.

## Chapter 108.

An Act to incorporate the Liberty and Belfast Telegraph Company.

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

SECT. 1. J. J. Walker, William H. Hunt, G. H. Cargill, L. C. Morse, G. F. Hunt, J. O. Johnson, A. D. Matthews, L. L. Prescott, Fred Knowlton, J. W. Clough, I. F. Allen, M. S. Ayer, and E. A. Porter, their associates, successors, and assigns, are hereby created a body corporate, by the name of the Liberty and Belfast Telegraph Company, with all the rights and privileges and subject to all the duties provided by the general laws of this state relating to corporations, with power by that name to sue and be sued, to have and use a common seal, and the same to change at pleasure ; to establish any and all by-laws and regulations for the management of their affairs, not repugnant to the laws of this state, and to do and perform any and all other legal and lawful acts incident to similar corporations.

Corporators.

Corporate name.

Powers and duties.

Seal.

May establish by-laws.

SECT. 2. Said corporation is hereby empowered and authorized to own, construct, maintain and operate from some point in the town of Liberty, a line or lines of telegraph and telephone through the towns of Montville, Searsmont, Morrill, and Belmont, to some point in the city of Belfast.

Authorized to construct telegraph lines.

Route.

SECT. 3. For the purposes of this act, the said corporation shall have, and the power is hereby granted, to erect and locate its lines along and upon the highways, streets and bridges, as now traveled by the teams carrying the United States' mail, from Belfast to Liberty through North Searsmont ; but in such a manner as not to incommode or endanger the customary and public use thereof ; and the company may cut down any trees

May locate on any public highway, etc.

—proviso.