

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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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1887.

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may remove jams of driftwood and stones in the channel thereof, and erect dams, side dams, booms and side booms, sluice ways and piers, and make such other improvements as may be necessary to accomplish the object of this act.

Liability for damages, and how ascertained.

SECT. 4. For all damages from flowage, for materials taken or arising from any other cause, said corporation shall pay an adequate compensation; such damages may be determined by the county commissioners of said Oxford county, in the same manner and under the same conditions as are provided in the case of damages by the laying out of public highways; and for lands flowed by said corporation, the owners shall be entitled to the same remedies as are now provided by law in cases of flowing lands by erection of dams for mills, and in either case said damages may be recovered in an action upon the case by suit at law.

Toll granted.

SECT. 5. Said corporation, after it shall have made, in the judgment of said county commissioners, such substantial improvements of Pleasant river as to entitle it to tolls, may demand and receive a toll of fifteen cents per thousand feet, board measure, for all logs and timber, and fifteen cents per cord for all wood that may pass by or over said improvements, and a lien is hereby created on such logs, timber or wood for sixty days after it arrives at its place of destination for sale, manufacture or consumption, or the same may be recovered in an action on the case.

—lien on logs, for payment.

When charter may become void.

SECT. 6. Said corporation shall be organized within one year from the passage of this act, and such improvements herein contemplated shall be made within three years from the date of said organization, otherwise this charter becomes void and of no effect.

Approved March 10, 1887.

Chapter 232.

An Act to supply the people of Dexter Village and vicinity with pure water.

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

Corporators.

SECT. 1. Morrill Sprague, Nathan F. Roberts, Henry L. Wood, Levi Bridgham, Warren H. Carr, B. F. Eldridge and Charles D. Roberts, with their associates and successors, are

Corporate name.

hereby made a corporation by the name of Silver Lake Water

Company, for the purpose of conveying to and supplying Dexter Village and vicinity with pure water, for domestic and other purposes.

—purposes.

SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding one hundred thousand dollars.

May hold real estate.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid, to take, detain and use the water of Silver Lake in the town of Dexter, in the county of Penobscot, and is also authorized to erect and maintain force pumps, reservoirs and dams, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water, and forming proper reservoirs thereof; and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands, when necessary for the purposes of this incorporation.

May take water from Silver Lake.

—erect dams, etc.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

Liability for damages, how ascertained.

SECT. 5. The capital stock of said corporation shall be forty thousand dollars, which may be increased to one hundred thousand dollars by a vote of said corporation, and said stock shall be divided into shares of fifty dollars each.

Capital stock.

SECT. 6. Said corporation is hereby authorized to lay down, in and through the streets and ways in said town of Dexter, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as may be imposed by the selectmen of said town. And said corporation shall be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said town all sums recov-

May lay down pipes in streets and ways.

Shall be liable for all damages to streets.

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ered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

May contract to supply water.

SECT. 7. Said corporation is hereby authorized to make contracts with said town of Dexter, and with all other corporations and individuals for the purposes of supplying water as contemplated by said act; and said town of Dexter, by its selectmen, is hereby authorized to enter into contracts with said company for the supply of water, and for such exemption from public burden as said town and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

Town may contract for water and exempt from taxation.

May cross private and public sewers.

SECT. 8. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof, and said corporation shall be liable for any injury caused thereby; whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

—shall not obstruct public streets.

Penalty for injuring property or polluting waters.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly and wilfully corrupt the waters of said Silver lake, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant, or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

May issue bonds and mortgage property.

SECT. 10. Said corporation may issue its bonds for the construction of its works, upon such rates and times as it may deem expedient, not exceeding sixty thousand dollars, and secure the same by mortgage of the franchise and property of said company.

SECT. 11. In case the works of this corporation shall not have been put into actual operation within four years from the date of the approval of this act, the rights and privileges herein granted shall be null and void.

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Act void, if works are not in operation within four years.

SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting, how called.

SECT. 13. This act shall take effect when approved.

Approved March 10, 1887.

Chapter 233.

An Act to incorporate the South West Harbor Water Company.

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

SECT. 1. Henry H. Clark, Seth H. Clark, S. W. Herrick, Henry Clark, J. T. R. Freeman, J. H. Pease, Albert W. Bee, J. A. Freeman, L. A. Emery, Alexander Fulton, D. M. Stewart, E. H. Greely, Nathan Clark, E. L. Higgins, James F. Ross, A. I. Holmes, Thomas Holmes, Levi Lurvey, Clarence Clark, William G. Parker, Joseph Parker, L. B. Wyman, and such persons as they may associate with them in the enterprise, and their successors, are hereby incorporated into a corporation by the name of the South West Harbor Water Company, for the purpose of supplying the village of South West Harbor and vicinity, in the town of Tremont, with pure water for the use of the inhabitants thereof, and for sanitary and municipal purposes, and extinguishing of fire.

Corporators.

Corporate name.
—purpose.

SECT. 2. Said company, for said purposes, may flow, detain, collect, take, store and distribute water from Long pond, Lurvey's spring or Meadow brook, and may locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants and all other necessary structures therefor.

May take water, etc.

SECT. 3. Said company is hereby authorized to lay, construct and maintain, in, under, through, along and across the highways, streets and bridges in said South West Harbor and

May lay pipes, etc., in streets.