

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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

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

ACTS AND RESOLVES

OF THE

SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

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

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

SECT. 2. The acts of school districts number two and number four in said town of Hampden, in making arrangements with the trustees of Hampden academy in relation to the attendance of students from said districts at said academy during the winter term, eighteen hundred eighty-eight and eighteen hundred eighty-nine, are hereby legalized and made valid.

CHAP. 314

Acts of districts Nos. 2 and 4, legalized.

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

Approved February 5, 1889.

Chapter 314.

An Act to amend Section one, Chapter sixty-five of the Private and Special Laws of eighteen hundred and eighty-seven, relating to the taking of fish from the tributaries of Webb's Pond in Franklin County.

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

SECT. 1. Section one of chapter sixty-five of the private and special laws of eighteen hundred and eighty-seven, is amended by inserting after the word, "kind," in the second line thereof, the words, 'excepting minnows for bait during the fishing season,' so that said section, as amended, will read as follows :

Sec. 1, ch. 65, Special Laws of 1887, amended.

'SECT. 1. All persons are prohibited hereby to take fish of any kind, excepting minnows for bait during the fishing season, from the tributaries of Webb's pond for the term of six years.'

Taking of fish, except minnows, prohibited for six years.

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

Approved February 5, 1889.

Chapter 315.

An Act to incorporate the Hull's Cove Water Company.

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

SECT. 1. Daniel W. Brewer, Elmore G. Brewer, Orient H. Carpenter, Thomas F. Moran, George P. Dutton, William M. Roberts and Elihu T. Hamor, and their associates and successors, are hereby incorporated into a corporation by the

Corporators.

CHAP. 315

Corporate name.
Purpose.

name of the Hull's Cove Water Company, for the purpose of supplying the villages of Hull's Cove and Salisbury's Cove and vicinity in the town of Eden, Hancock county, Maine, and the inhabitants thereof with pure water for domestic, sanitary, municipal and commercial purposes.

Authorized to
take water.

SECT. 2. Said company for said purpose may flow, detain, collect, take, store, use and distribute water from Lake Wood and Breakneck Ponds, also called Little Ponds and Intervale Brook, in the said town of Eden, and construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants and all other necessary structures therefor.

—erect dams,
etc.May cross any
water course or
sewer.

SECT. 3. Said company shall have power to cross any water course, 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 company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or 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 there removed by it to be replaced in proper condition.

Authorized to
lay pipes in
streets.

SECT. 4. Said corporation is hereby authorized to lay down in and through the streets and ways in said town of Eden, and to take up and replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of the incorporation. 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 such sums recovered against said town for damages from obstruction or defects of said streets and ways, caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on same.

—responsibility
for damages
caused by use
of streets.

May take lands.

SECT. 5. Said company may take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants and other necessary structures and may locate, lay, maintain sluices, aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purpose, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations,

CHAP. 315

and shall file in the town clerk's office of the town of Eden, plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notice of such filing and of taking, in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any one line of pipes or aqueducts, and not more than five acres by any one reservoir.

Shall file plan of location in clerk's office.

SECT. 6. Said corporation shall be held liable to pay all damages that shall be sustained by any person, by 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, or by the taking of water, and damages from any other injuries resulting from said acts. And if any person sustaining damages as aforesaid, and said corporation, cannot mutually agree upon the sum to be paid therefor, such person may cause his damage 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 highways.

Liability for land damages.

—how ascertained in case of disagreement.

SECT. 7. Said company is hereby authorized to make contracts with the United States, the state of Maine, and with corporations and inhabitants of said town of Eden, for the purpose of supplying water, as contemplated by this act. And said town of Eden is hereby authorized, by its municipal officers to enter into contract with said company for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burdens as said town and said company shall agree, which, when made, shall be legal and binding upon all parties thereto.

Authorized to make contracts to supply water.

Town authorized to contract for water, and exempt from taxation.

SECT. 8. Whoever shall wilfully and maliciously corrupt the water of said ponds, or any of the tributaries thereto, whether frozen or not, or in any way render such waters impure, whether frozen or not, or whoever shall wilfully or maliciously injure any of the works of said company, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage, to be recovered in any proper action.

Penalty for injuring property or polluting water.

SECT. 9. The capital stock of the company shall be fifty thousand dollars, which may be increased by vote to two hun-

Capital stock.

CHAP. 316

dred thousand dollars, and said stock shall be divided into shares of twenty dollars each.

May take real estate.

SECT. 10. Said corporation, for the purposes aforesaid, may take and hold real and personal estate necessary and convenient therefor, not exceeding the amount of the capital stock, and may sell, mortgage or otherwise dispose of the same with all the rights and franchises under this charter.

May issue bonds and mortgage property.

SECT. 11. Said company may issue its bonds for the construction of the works of any and all kinds upon such rates and time as it may deem expedient, not exceeding the amount of two hundred thousand dollars, and secure the same by a mortgage of the franchises and property of said company.

First meeting, how called.

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

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

Approved February 5, 1889.

Chapter 316.

An Act to prohibit the taking of fish from Round Mountain Lake, in Franklin County.

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

Close time between Oct. 1 and May 1.

SECT. 1. All persons are prohibited from taking fish of any kind from Round Mountain lake or any of its tributaries, in township number two, range five, in Franklin county, between October one and May one following of each year, for the term of five years.

Penalty for violation.

SECT. 2. Any person violating the provisions of this act shall be liable to a fine of five dollars for each fish so taken, to be recovered before any trial justice in said county, one-half to the complainant and one-half to the county of Franklin.

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

Approved February 5, 1889.