

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.

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SIXTY-FOURTH LEGISLATURE

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1889.

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

already agreed upon as aforesaid is hereby ratified and confirmed, when approved by a vote of the stockholders.

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

Approved February 19, 1889.

Chapter 411.

An Act to incorporate the Machias Water Company.

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

SECT. 1. Henry R. Taylor, F. W. Bowker, S. M. Holway, A. R. Gilson, O. M. Vose, of Machias, with their associates and successors, are hereby made a corporation by the name of the Machias Water Company, for the purpose of supplying the inhabitants of Machias with suitable water for industrial, domestic, sanitary and municipal purposes, including extinguishment of fire; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations, under the general laws of this state.

Corporators.

Corporate name.

—purposes.

SECT. 2. For any of the purposes aforesaid, or for the preservation and purity of said water, said corporation is hereby authorized to take and use water from the Machias river, or from any spring, pond, brook or other water in the town of Machias, or from any spring, brook or pond in either of the adjoining towns, Marshfield or East Machias; to conduct and distribute the same into and through the said towns of Machias, Marshfield or East Machias; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under, in and over the Machias river, or Middle river, so called, or under or over any water course, bridge, street, railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway, or other way, in such manner as least to obstruct the same; to enter, pass over and excavate any lands, and to take and hold, by purchase or otherwise, any real estate, rights of way or of water, and in general do any acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further

Authorized to take water.

—erect dams, lay pipes, etc.

—may take land.

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—lay pipes through public and private ways.

authorized, for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same or dig therein, and said corporation may make written regulations for the use of said water, and change the same from time to time.

Shall file plans of rights taken in registry of deeds.

SECT. 3. Said corporation shall file in the registry of deeds in the county of Washington, plans of all land and water rights taken under the provisions of this act; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan, the corporation may file a statement of the damage it is willing to pay the owner for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such owner, otherwise such owner shall recover costs against the company.

—statement of damages, willing to pay, etc.

Liability for all damages and how ascertained.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, to themselves or their property, occasioned by the use of such streets and ways, and shall pay to said town all sums recovered against said town for damage from obstruction caused by said corporation, and for all expense, including reasonable counsel fees incurred in defending such suits, with interest on the same; but said corporation may assume the defense of suits brought to recover damages, as aforesaid; and also for all damages sustained by any persons by the taking of any land, water, rights of way or other property, or by excavating through any land for the purpose of laying or building any dams, reservoirs, pipes and aqueducts, and for any other injuries resulting from said acts. And if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party, on petition to the county commissioners of Washington county, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceedings, and right of appeal thereon, shall be had 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. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same.

—failure to apply for damages, held as waiver of same.

Authorized to contract to supply water.

SECT. 5. Said corporation is hereby authorized to make contracts with the United States, the state of Maine, the

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county of Washington, the town of Machias or any village corporation in said town and with the inhabitants thereof or any corporation for the purpose of supplying water as contemplated by this act. And said town of Machias by its municipal officers, or any village corporation by its proper officers, are hereby authorized to enter into contract with said company for a supply of water for any and all purposes mentioned in this act and for such exemptions from public burdens as said town or village corporation and said company may agree, which when made, shall be legal and binding upon all parties thereto.

Town may contract for water, and exempt from taxation.

SECT. 6. Whoever shall wilfully or maliciously injure any of the property of said corporation, or knowingly corrupt the sources of its water supply, or of any of its tributaries so as to affect the purity of the water taken by said corporation, or in any manner pollute them as aforesaid whether frozen or not, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Penalty for injuring property or corrupting water.

SECT. 7. The capital stock of said corporation shall be fifty thousand dollars, which may be increased to one hundred thousand dollars by a vote of said corporation; and said capital stock shall be divided into shares of one hundred dollars each.

Capital stock.

SECT. 8. Said corporation for all its said purposes may hold real and personal estate necessary and convenient therefor, not exceeding two hundred thousand dollars.

May hold real estate.

SECT. 9. Said corporation, for the construction of its works of any and all kinds, is authorized to issue its bonds in such form and amount, and on such time and rates as it may deem expedient, and secure the same by mortgage of its franchise and property.

May issue bonds.

SECT. 10. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators named herein, served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, at least seven days before the time of meeting.

First meeting, how called

SECT. 11. If at the end of four years from the date of approval of this act of incorporation, said corporation shall

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SECT. 12. This act shall take effect when approved.

Approved February 19, 1889.

Chapter 412.

An Act to incorporate the Knox Banking and Trust Company.

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

SECT. 1. Edward K. O'Brien, Edward L. Dillingham, Silas W. Masters, Atwood Levensaler, Niven C. Mehan, George Elliott, B. Webb Counce, J. H. H. Hewett, Henry C. Levensaler, William H. Hatch, Thomas W. Dunn, Samuel H. Allen and Edward E. O'Brien all of Thomaston; their associates and successors, are made a corporation by the name of the Knox Banking and Trust Company, for the purposes hereinafter set forth, to have its place of business in the town of Thomaston.

Corporators.

—corporate name.

Capital stock.

—shall not commence business until \$50,000 has been paid in.

SECT. 2. The capital stock of said corporation shall be fifty thousand dollars, and shall be divided into shares of one hundred dollars each. Said corporation shall not commence business until the sum of fifty thousand dollars shall have been paid in, in cash, and no certificate of stock shall be issued until the par value of the same has been fully paid.

Purposes.

SECT. 3. Said corporation is hereby empowered to receive on deposit, money and other personal property of every description, and collect and disburse the income and principal of said property when due; to loan or advance money or credits on real or personal security; to sell and dispose of the securities held by it; to guarantee the regular payment of principal and interest of any bonds or notes or other evidences of debts secured by mortgage or deed of trust of real estate; to issue bonds or debentures secured by assignment of mortgages on real property held and owned by it; and may re-discount any acceptances and notes actually owned by said corporation and guarantee the payment of the same; to act as trustee under mortgages or otherwise and as receiver or agent for any person, firm, corporation, public or private; to act as agent for issuing, registering and countersigning