

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.

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tracts of land as in like manner and to like effect as if the said jurisdiction had not been ceded.

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

Approved March 9, 1889.

Chapter 534.

An Act to amend the charter of the Eastport Water Company.

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

Authorized to take water from from Boyden's lake.

—powers.

SECT. 1. The Eastport Water Company is hereby authorized for the purposes named in its act of incorporation to take and use water from Boyden's lake, so called, in the town of Perry, and to conduct and distribute the same, to and through the town of Eastport; and in so doing to erect and maintain in said lake, suitable gate houses, and to connect pipes and aqueducts therewith; to survey for, locate, lay and maintain, suitable pipes and aqueducts, to carry its pipes and aqueducts under or over any water course, bridge, highway, or other way; 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 necessary for the purposes specified by this act; to carry, lay and maintain said pipes and aqueducts along and within the limits of any highway, across any bridge, and through any lands necessary; to take and hold, by purchase or otherwise, any real estate necessary for the purposes authorized by this act.

Shall file plans of location in registry of deeds, in Washington county.

—what plan shall specify.

—notice, shall be published in some newspaper.

SECT. 2. Said corporation shall file in the registry of deeds, in the county of Washington, plans and specifications of the location of all lands and water rights taken under the provisions of this act; any plan of water rights shall specify the area of the aperture of the pipe or pipes at said gate houses, and the maximum amount of water to be daily drawn therefrom; and notice of the substance of said plans shall be published three weeks successively in some newspaper published in said town of Eastport; and no entry shall be made upon any lands, except to make surveys, until ten days after the last publication in said newspaper. New plans may be filed, with specifications, as aforesaid, when it becomes necessary to increase the maximum daily amount of

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water to be taken. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land, water, rights of way or other property, or 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 case of damages by laying out highways. Failure to apply as aforesaid within said twelve months, shall be held to be a waiver of said damages. In case said company shall begin to take water from said Boyden's lake before the rendition of judgment on any claim for damages therefor, any person or persons petitioning for assessment of such damages may require said company to file its bond or bonds with said county commissioners in such sum and with such sureties as they approve, conditioned to pay such judgment or judgments upon the rendition thereof. If said company fails to file said bonds within a reasonable time, it may be restrained by injunction from taking water from said lake until said bond or bonds shall be filed.

—liability for damages, and how ascertained.

—in case water is taken before rendition of judgment, bonds may be filed, conditioned to pay such judgment.

SECT. 3. Said corporation is hereby authorized to increase its bonded indebtedness by issuing additional bonds, not exceeding fifty thousand dollars, so that the whole bonded indebtedness of said corporation shall not exceed one hundred and twenty thousand dollars. Such increase shall be made by vote of the stockholders of said corporation, and the proceeds shall be devoted exclusively to extending its works to said Boyden's lake and for diverting the water of said lake from its natural outlet, called Little river, the sum of damages ascertained in the manner above specified, shall be the measure of yearly damages, if assessed by the year, until the parties, by new petition and by similar proceedings as in the former case, shall obtain an increase or decrease of damages.

May issue additional bonds.

—how proceeds shall be devoted.

SECT. 4. Said corporation is hereby authorized to issue second mortgage bonds, not exceeding forty thousand dollars upon such rates and time as it may deem expedient.

May issue second mortgage bonds.