

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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.
1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

Chapter 97.

An Act to incorporate the Madison Water Company.

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

Corporators.

SECT. 1. Benjamin P. J. Weston, Weston Lewis, Josiah S. Maxcy, their associates, successors and assigns, are hereby incorporated by the name of the Madison Water Company, for the purpose of conveying to and supplying the inhabitants of the towns of Madison and Anson, and of such parts of the towns of Starks and Norridgewock as may be within two miles of the Madison and Anson toll bridge, with water for all domestic, sanitary and municipal purposes, including the extinguishment of fires, with all the rights and privileges, and subject to all the liabilities and obligation of similar corporations, under the general laws of this state.

—corporate
Name.

—authorized to
supply water.

May take water
from Kennebec
river.

SECT. 2. For the purposes aforesaid, said corporation may flow, detain, collect, take, store, use and distribute water from the Kennebec river, and may locate, construct and maintain cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants, and all other necessary structures therefor.

May erect dam.

SECT. 3. Said company is further authorized to erect and maintain a dam on said river, within said towns, provided, that suitable rollways shall be constructed and maintained in said dam by said company for the passage of logs and lumber.

May lay pipes,
etc., along and
across
highways.

SECT. 4. Said company is authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said towns, and to take up, replace and repair all such pipes, hydrants and structures as may be necessary for the purpose of its corporation; 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 land; to take and hold, by purchase or otherwise, any real estate, rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes of this act.

May cross any
water course or
sewer.

SECT. 5. 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 its incorporation, but in such manner as not to obstruct or impair the use thereof.

CHAP. 97

SECT. 6. Said company is authorized to lay and maintain its pipes under, in and over the Kennebec river, and to build and maintain all necessary structures therefor.

May lay pipes under Kennebec river.

SECT. 7. Said company shall file in the registry of deeds in the county of Somerset, plans of the location of all land and water rights taken under the provisions of this act; and no entry shall be made on any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan the said company may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company.

Shall file plan of location, etc., in registry of deeds of Somerset county.

SECT. 8. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any lands, water, rights of way, or other property, or by excavating through any land, for the purpose of surveying for, locating, laying or building dams, canals, reservoirs, pipes, hydrants, or other structures, by taking and holding any lands necessary for flowage, 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 Somerset county, within two years from the time said damages are sustained, may have said damages 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 two years, shall be held to be a waiver of the same.

Liability, for and damages,

SECT. 9. Said company shall, in all cases be liable to pay to said towns all sums recovered against said towns for damages by reason of any defect in any highway, way or street therein, occasioned by any fault or neglect of said company, together with reasonable counsel fees and costs incurred in defending such suits, with interest on the same; provided, said company shall have notice of any suit wherein such damages are claimed and shall be allowed to defend the same at its own expense.

Liability, for damage to highways.

CHAP. 97

Penalty, for
corrupting
water or
injuring works.

SECT. 10. Whoever shall willfully or maliciously corrupt the water of said river, whether frozen or not, after said company shall commence taking the same, so as to render the water taken by said company impure, and whoever shall willfully or maliciously injure any of the works of said company, shall be punished by imprisonment not exceeding two years, or by fine not exceeding one thousand dollars, and shall be liable to said company in three times the actual damage, to be recovered in an action on the case.

Company
authorized to
make contracts
to supply
water.

SECT. 11. Said company is authorized to make contracts with other corporations and with inhabitants of said towns for a supply of water, and may establish written regulations for the use of the same. The towns of Madison and Anson and any village corporation within said towns now or hereafter incorporated, are authorized to enter into contract with said company for a supply of water for fire and other purposes, for a term of years, and for such exemption from public burden as may be agreed upon, which, when agreed upon, shall be legal and binding upon the parties thereto. The said water company is authorized to sell or lease any power not used by it.

Capital stock.

SECT. 12. The capital stock of said company shall not be less than thirty thousand dollars, which may, by vote of said company, be increased to one hundred thousand dollars, to be divided into shares of one hundred dollars each. Said company may hold real or personal estate necessary and convenient for its purposes aforesaid.

May issue
bonds and
mortgage
property.

SECT. 13. For the purpose of carrying out the foregoing provisions or either of them, said company is authorized to issue its bonds from time to time in such form and amount and on such time and rates as it may deem expedient, and secure the same by appropriate mortgages of its property and franchise.

First meeting,
how called.

SECT. 14. The first meeting of said company may be called by a written notice thereof, signed by any two corporators herein named, and 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 meeting.

Company,
authorized to
sell or lease
property to
Maine Water
Company.

SECT. 15. The said corporation is authorized to sell or lease its property and franchise to the Maine Water Company, subject to all the limitations of the charter of the said Maine

Water Company, and with all the privileges thereby conferred. The said Maine Water Company is authorized to make said sale or lease.

SECT. 16. This act shall take effect when approved.

Approved February 21, 1891.

Chapter 98.

An Act to authorize Henry W. Tucker to dredge and navigate by steam, Medomak Pond in Knox County.

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

Henry W. Tucker, his associates and assigns are hereby authorized to clean channels, dredge bars and remove stones in Medomak pond in the county of Knox and are hereby vested with the exclusive right against all persons, of employing and navigating every kind of boat, or water craft, propelled by steam, for carrying passengers on said Medomak pond, for the term of ten years from the passage of this act.

H. W. Tucker, et als., authorized to improve and navigate Medomak pond.

Approved February 21, 1891.

Chapter 99.

An Act to incorporate the Northern Cumberland Agricultural Society.

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

SECT. 1. James H. Hamilton, Joseph Pitts, Frank Green, Cyrus K. Foster, George H. Cummings, Richard J. Chaplin, Joseph S. Chaplin and Thomas D. Emery, all of Harrison in the county of Cumberland and state of Maine, their associates, successors and assigns, are hereby created a corporation by the name of the Northern Cumberland Agricultural Society, to be located in said Harrison, with power by that name to sue and be sued, to have and use a common seal, to make by-laws and all necessary regulations for the management of their affairs, not repugnant to the laws of this state, and to have all the rights, privileges, bounties and stipends, and be subject to all the liabilities and duties of similar societies in this state.

Corporators.

—corporate name.

—seal and by-laws.

—rights and privileges.