

MAINE STATE LEGISLATURE

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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.

CHAP. 240

Chapter 240.

An Act to legalize the acts and doings of the constable of the town of Rumford for the year eighteen hundred and ninety-one.

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

Doings of W.
H. Farnum,
made valid.

SECT. 1. The acts and doings of William H. Farnum, constable of the town of Rumford, in all matters relating to posting the notices and making his returns on the warrant for the annual meeting of the town of Rumford holden on March two, eighteen hundred and ninety-one, are hereby legalized and made valid.

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

Approved March 17, 1891.

Chapter 241.

An Act to incorporate the Boothbay and Boothbay Harbor Water Company.

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

Corporators.

SECT. 1. George P. Wescott, Fred E. Richards and Nathan Cleaves of Portland, Arthur Sewall of Bath, all in the state of Maine, their associates, successors and assigns, are hereby made a corporation by the name of the Boothbay and Boothbay Harbor Water Company for the purpose of conveying to and supplying the inhabitants of Boothbay and Boothbay Harbor, adjacent islands and neighboring territory, with water for all domestic, sanitary, municipal and commercial purposes, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the general laws of the state of Maine.

—corporate
name.

—purposes.

Authorized to
take water from
Adams pond,
etc.

SECT. 2. Said corporation is hereby authorized, for the purposes aforesaid, to take, hold and convey to said towns of Boothbay and Boothbay Harbor, and the neighboring territory, and through any part thereof, and the islands adjacent, water from the Adams pond in said town of Boothbay, or from any other supply that may be selected within said towns of Boothbay, Boothbay Harbor or the town of Southport; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts, hydrants and fixtures; to carry

—may erect
dams, etc.

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its pipes or aqueducts under or over any navigable waters, water course, bay, creek, river, bridge, street, railroad, highway or other way, and for that purpose to enter upon and excavate any street, road or way in such a manner as not to unnecessarily obstruct the same, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for said purposes, and to enter upon, pass over, excavate and flow any lands and to take and hold by purchase or otherwise, any real estate, rights of way or water. And said corporation is further authorized for the purpose of making all necessary repairs, surveys or connections to lay its pipes through any private or public lands or ways, with the right to enter upon the same and dig therein, and said corporation may establish written regulations for the use of said water. Said corporation shall be responsible for all damages to persons and property occasioned by such use of said streets and ways, and shall be further liable to pay to said town all sums recovered against said town 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 costs incurred in defending such suits; 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.

—lay pipes over or under any navigable waters, along highways.

—may lay pipes through private lands.

—responsible for all damages.

SECT. 3. Said corporation shall file in the registry of deeds in the county of Lincoln, plans and descriptions of the location of all lands and water rights taken under the provisions of this act, and no entry shall be made upon any land, except to make surveys, until the expiration of ten days from such filing, and with such plan the corporation 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 said person, otherwise such person shall recover such costs against said company.

Shall file plans of location in the registry of deeds in Lincoln county.

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 damages as aforesaid, and said corporation

Liable for damages for taking land or by flowage.

—how ascertained, in case of disagreement.

CHAP. 241

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.

Capital stock.

SECT. 5. The capital stock of said corporation shall be fixed at a sum not exceeding one hundred thousand dollars and shall be divided into shares of one hundred dollars each. And said corporation for the purposes of this charter, may hold real or personal estate necessary and convenient therefor and not exceeding one hundred thousand dollars.

May contract to supply water.

SECT. 6. Said corporation is hereby authorized to make contracts with said towns of Boothbay and Boothbay Harbor and with other towns, corporations, associations and individuals for the purpose of supplying them with water as contemplated by this act; and said towns of Boothbay and Boothbay Harbor, by their selectmen or by their duly authorized agents, are hereby authorized to enter into contracts with said company for the supply of water and from such exemption from public burden as said towns, or either of them, and said company may agree upon, which when made shall be legal and binding upon all parties thereto. Manufacturing and other corporations are hereby authorized to subscribe and hold stock of said Boothbay and Boothbay Harbor Water Company.

Towns, may contract for water.

Penalty, for injuring property, or corrupting water.

SECT. 7. Any person who shall willfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Adams pond, or any of its tributary waters, or any supply that may be selected under this grant, 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 willfully 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 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. 8. Said corporation may issue its bonds for the construction of its works upon such rates and times as it may

deem expedient, not exceeding one hundred thousand dollars, and secure the same by mortgage of the franchises and property of said company. CHAP. 242

SECT. 9. The first meeting of said corporation shall be called by written notice thereof signed by any three corporators herein named, served upon each corporator by giving him the same in hand or by leaving same at his last usual place of abode seven days before the time of said meeting.

First meeting,
how called.

Approved March 17, 1891.

Chapter 242.

An Act to incorporate the Gardiner Hospital.

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

SECT. 1. John T. Richards, H. W. Jewett, J. B. Dingley, J. S. Bradstreet, Harvey Scribner, A. A. Brann, David Dennis, S. Bowman, J. W. Lash, Sherburne Lawrence, J. S. Maxcy, F. W. Rafter, C. M. Drake, A. Bailey, P. H. Winslow, F. T. Bradstreet, Henry Richards, J. C. Atkins, A. C. Clark, Weston Lewis, P. H. Holmes, S. N. Maxcy, George L. Rogers, Charles Bridge, A. W. McCausland, their associates and successors are hereby incorporated and made a body politic by the name of the Gardiner Hospital, and by that name may sue and be sued, have a common seal, and have all the immunities and privileges of like corporations. Said corporators and their associates shall have power to vote in as associate corporators residents of Gardiner, Farmingdale or Randolph, and when any corporator ceases to be a resident of said city or either of said towns, he shall cease to be a member of the corporation. The number of corporators shall not exceed at any time, thirty-five. No personal liability shall attach to said corporators by reason of any acts of said corporation.

Corporators.

—corporate
name.

—associate
corporators.

SECT. 2. Said corporation may take, receive, purchase, hold and possess lands and tenements in fee simple or otherwise, and dispose of and sell the same, and may receive of and from all persons and corporations disposed to aid in its benevolent purposes, any grants and devises of real estate, and any donations, subscriptions and bequests of money and

May take and
hold land,
receive
bequests.