

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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1895.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1895.

Chapter 113.

An Act to amend the charter of the Bath Street Railway.

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

Co. authorized to extend lines into other towns, as shall be determined by municipal officers.

SECT. 1. The Bath Street Railway is authorized to extend its lines and to construct, build and maintain a street railroad to be operated by animal power or electricity, over such streets, roads, highways and bridges, and tide waters in the towns of Brunswick, Topsham and Lisbon as shall, from time to time, be fixed and determined by the municipal officers of said towns, subject to all the restrictions, obligations and liabilities of its existing charter, with amendments thereto, heretofore or hereafter made, and with all the rights, powers and privileges therein contained.

Consent of B. E. R. R. Co. necessary, before right can be used in Brunswick.

SECT. 2. The consent, in writing, of the Brunswick Electric Railroad Company must first be obtained before rights in the town of Brunswick can be used, beyond those at present vesting in the Bath Street Railroad as given by laws of one thousand eight hundred and ninety-three, chapter six hundred and thirty-six.

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

Approved March 5, 1895.

Chapter 114.

An Act to incorporate the Gorham Water Company.

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

Corporators.

SECT. 1. Frank H. Emery, Frederick Robie, Henry R. Millett, Joseph Ridlon, George H. Griffin, Joseph F. Shackford, Roscoe G. Harding, Milton Shaw, John S. Leavitt, Edward W. Guptill, John A. Waterman, Isaac W. Dyer, their associates, successors and assigns, are hereby made a corporation by the name of the Gorham Water Company, for the purpose of conveying to and supplying the inhabitants of Gorham with water for all domestic, sanitary and municipal 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.

SECT. 2. Said corporation is hereby authorized, for the purposes aforesaid, to take, hold and convey to said town of Gorham, and through any part thereof, or any adjoining town, water from the Little river in said town of Gorham, or from any other supply which may be selected within said town of Gorham or any adjoining town, except Sebago lake and the Presumpscot river; said rights to a supply to include a supply by contract or lease from any other corporation or person; to survey for, locate, lay, erect, and maintain suitable dams, reservoirs and machinery, pipes, aqueducts, hydrants and fixtures; to carry its pipes or aqueducts under or over any water course, creek, river, bridge, street, highway, or other way, but in such manner, however, as not to obstruct the same, 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 mains and 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 Gorham Water Company shall be responsible for all damages to persons and property occasioned by such use of said streets and ways. Said Gorham Water Company may also lay and maintain its mains and pipes under or across any railroad, if agreement with the railroad company can be had, or if such agreement cannot be had, upon such terms and conditions as may be determined by the railroad commissioners. Said water company shall be liable in all cases to repay to any railroad company or town, all sums of money that such railroad company or town shall be obliged to pay on any judgment recovered against them for damages occasioned by any obstruction, taking up or displacement of its railroad by said Gorham Water Company, in the case of a railroad company, or in the case of a town by reason of any defect in any highway, way or street, therein occasioned by any fault or neglect of said water company, together with reasonable counsel fees

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Authorized to take water from Little river, Sebago lake, and Presumpscot river.

—purposes.

—powers and privileges.

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and expenses necessarily incurred in defending such railroad or town in all actions therefor, provided, however, that said Gorham Water Company shall have notice of the commencement of any and all suits for such damage and that said water company shall have the right to defend any such action at its own expense.

Shall file description of land or water rights taken, in registry of deeds, Cumberland Co.

SECT. 3. Said Gorham Water Company shall file in the registry of deeds in the county of Cumberland, 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 twenty 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 or corporation for any property so taken, and if the amount finally awarded does not exceed that sum the company shall recover costs against said person or corporation, otherwise such person or corporation shall recover such costs against said company.

Liable for all damages.

SECT. 4. Said Gorham Water Company 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 its 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 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.

—how determined.

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 or convenient therefor, and not exceeding one hundred thousand dollars.

May make contract to supply water.

SECT. 6. Said Gorham Water Company is hereby authorized to make contracts with said town of Gorham, and with other towns and corporations, associations and individuals for the purpose of supplying them with water as contemplated by this act, and also for the purpose of procuring a supply of water for its own purposes, may con-

tract for such supply with any other corporation or individual, and use the same for the purposes hereunder. Said town of Gorham, by its selectmen, or by its duly authorized agents, is hereby authorized to enter into contracts with said Gorham Water Company for the supply of water, and from such exemption from public burden as said town 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 Gorham Water Company.

Town authorized to make contracts, and exempt from taxation.

Manufacturing companies may hold stock.

SECT. 7. Said corporation may issue its bonds for the construction of its works upon such rates and times as it may deem expedient, to an amount not exceeding the amount of its capital stock subscribed for, and secure the same by mortgage of the franchises and property of said company.

May issue bonds, and mortgage property.

SECT. 8. The first meeting of said corporation shall be called by written notice thereof signed by any two 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.

SECT. 9. This act shall become null and void in two years from the approval hereof, unless said corporation shall have organized and commenced actual business under this charter.

When act shall be void.

SECT. 10. This act shall take effect when approved.

Approved March 5, 1895.

Chapter 115.

An Act to confirm the organization of the New Gloucester and Danville Agricultural Association, and entitle it to share in the stipend for agricultural societies.

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

SECT. 1. The organization of the New Gloucester and Danville Agricultural Association is hereby confirmed, and it is hereby expressly declared and made to be a beneficiary under the law paying annual stipends to agricultural societies, so that it shall receive its share of such stipend under the conditions imposed by law.

Organization of association, made valid.

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

Approved March 5, 1895.