

# 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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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS  
OF THE  
STATE OF MAINE.

1895.

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**CHAP. 120** tion and laws of this state, shall be and continue to be the by-laws of the corporation hereby constituted, until the same or any of them shall be changed by the act of said corporation.

When act may be accepted.

SECT. 4. This act may be accepted at any regular meeting of said Portland Veteran Firemen's Association by a majority of the members present; and shall take effect from and after its approval by the governor.

Approved March 5, 1895.

**Chapter 120.**

An Act to authorize the building of a Fish Weir in Sand Cove.

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

Wm. Herrick, authorized to build fish weir.

SECT. 1. William Herrick, his associates and assigns, are hereby authorized to build and maintain a fish weir in Sand Cove, so called, on the easterly side of Marshall's island in the county of Hancock, and to extend the same twelve hundred feet into tide waters.

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

Approved March 5, 1895.

**Chapter 121.**

An Act to incorporate the Clinton Water and Electric Company.

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

Corporators.

Corporate name.]

—purposes.

SECT. 1. A. Rowell, S. P. Felker, B. T. Foster, George L. Learned and W. T. Haines, and such persons as they may associate with themselves in the enterprise, are hereby incorporated into a corporation by the name of the Clinton Water and Electric Company, for the purpose of supplying the village of Clinton, in the town of Clinton, in Kennebec county, and the vicinity of said village with pure water for domestic, sanitary and municipal purposes; also for supplying said village and vicinity with electric lights and power.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from any stream, lake, spring or pond situated in said town of Clinton, in the county of Kennebec, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or town way in said town of Clinton, in such manner as the municipal officers of said town may approve.

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Authorized to  
take water in  
Clinton.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs and other necessary buildings, and may locate and lay and maintain pipes in and through any lands for said purposes, and excavate in and through such lands for such location, construction and maintenance of said pipes, dams and reservoirs. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Kennebec, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct, and not more than two acres by any reservoir.

May occupy  
lands.—shall file  
plans of  
location in  
registry of  
deeds in  
Kennebec Co.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location and occupation and construction, the land owner may within twelve months after filing of plans of location, apply to the commissioners of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners, such sum as may be finally awarded, as damages, with costs, within sixty days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall be thereby invalid, and the company forfeit all rights under the same. If such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs against said land owner. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same. No action shall be brought against said company for such taking and occupation, until

Damages, how  
assessed in  
case of  
disagreement.

## CHAP. 122

after such failure to pay or deposit as aforesaid. Damages caused by flowage are to be ascertained and paid in the same manner.

Damages for taking water, how assessed.

SECT. 5. Any person suffering damage by the taking of water by said company, as provided by this act, may have his damages ascertained in the manner provided by the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

Capital stock.

SECT. 6. The capital stock of said company shall be the amount fixed by said company at its first meeting, but said capital stock may at any regular or special meeting of said company called for the purpose, by vote of the majority of the stockholders, be increased, but the capital stock shall not exceed one hundred thousand dollars.

May issue bonds, and mortgage property.

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

First meeting, how called.

SECT. 8. The first meeting of said company may be called by a written notice thereof, signed by any one incorporator herein named, served upon each of the other incorporators by giving him the same in hand, or by leaving the same at his last usual place of abode seven days before the time of meeting.

Approved March 5, 1895.

## Chapter 122.

An Act to incorporate the Bingham Water Company.

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

Corporators.

SECT. 1. Henry Washburn, George H. Clark and James Smith, with their associates and successors, are hereby made a corporation, by the name of the Bingham Water Company, for the purpose of conveying to and supplying the village of Bingham and vicinity with pure water for domestic, sanitary and municipal purposes.

Corporate name.

—purposes.