

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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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1895.

CHAP. 154

also the persons elected at each interval of three years thereafter shall be designated as chairman. Said assessors,' so that said section when amended, shall read as follows :

Election of assessors, and term.

—chairman.

—powers and duties. †

City council may appoint person in each ward to assist assessors.

How taxes shall be apportioned and collected.

‘SECT. 6. At the first election thereof under this act, three persons shall be elected assessors by city council, one of whom shall be elected for three years, one for two years, and one for one year, and at each subsequent election one assessor shall be elected for three years. The person elected for the longest term at said first election, and also the persons elected at each interval of three years thereafter, shall be designated as chairman. Said assessors shall exercise and be subject to the same powers, duties and liabilities that the assessors of the several towns in this state may exercise and be subject to under existing laws ; provided, however, that the city council may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property, taxable in his ward, and who shall be sworn to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state, relative to town taxes ; provided, however, that it shall and may be lawful for the city council to establish further and additional provisions for the collection thereof.’

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

Approved March 12, 1895.

Chapter 154.

An Act to incorporate the Wiscasset Water Company.

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

Corporators.

Corporate name.

SECT. 1. Henry Ingalls, William G. Hubbard, Alfred H. Lennox, Joseph P. Tucker, Albert S. Erskine, Richard H. T. Taylor, Richard T. Rundlett, Seth Patterson, George B. Sawyer, William D. Patterson, Francis E. Johnson, Clarence A. Peaslee, Edward T. Hodge and Jesse White, their associates, successors and assigns, are hereby made a corporation by the name of the Wiscasset Water Company for the purpose of conveying to, and supplying the inhabitants of Wiscasset, in the county of Lincoln, with pure water for all

domestic, sanitary, industrial and municipal purposes, and for the extinguishment of fires.

SECT. 2. Said corporation is hereby authorized, for the purposes aforesaid, to collect, take, hold and convey to said town of Wiscasset and through all parts thereof, from the Gardiner pond in said town or any other source of supply which may be selected, in Wiscasset or any adjoining town ; to survey for, locate, lay, erect and maintain all suitable dams, reservoirs, aqueducts, pipes, hydrants, machinery and other necessary structures and fixtures ; to carry its pipes or aqueducts under, over or along any water course, creek, river, bridge, street, railroad, highway or other way, but in such manner, however, as not to unnecessarily obstruct the same, and for that purpose to enter upon and excavate any street, road or way, in such 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 or proper for said purposes, and to enter upon and pass over, excavate and flow any lands, and to take and hold by purchase or otherwise, any lands, rights of way or water necessary or proper for reservoirs, gates, hydrants, dams or other necessary structures. 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 thereon, and said corporation may make 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 any 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. And provided further, that in case of any crossing of a railroad, unless said corporation shall agree with the company owning and operating such railroad, as to place, manner and conditions of the crossing, the railroad commissioners shall determine the place, manner and conditions of such crossing ; and all work within the limits

Authorized to take water from Gardiner pond.

—erect dams, lay pipes, etc.

Lay aqueduct along any water course, street, or R. R.

—take lands.

—lay pipes through private or public lands.

—responsible for all damages.

—manner of crossing any R. R., how determined.

CHAP. 154

of such railroad location shall be done under the supervision and to the satisfaction of the officers of such railroad company, but at the expense of this corporation.

Shall file plans of location in registry of deeds, Lincoln Co.

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 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 for any property so taken, and if the amount finally awarded does not exceed the sum offered, the company shall recover costs against such person, otherwise such person shall recover costs against said company.

Liable for damages, for taking property.

SECT. 4. Said corporation shall be 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 cannot mutually agree upon the sum to be paid therefor, either party may cause such 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.

—damages, how determined, in case of disagreement.

SECT. 5. Said corporation is hereby authorized to make contracts with said town of Wiscasset and with other towns, corporations, associations and individuals, for the purpose of supplying them with water as contemplated by this act; and said town of Wiscasset is hereby authorized by its selectmen or duly authorized agents, to enter into contracts with said 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 binding upon all parties thereto, and said town of Wiscasset for this purpose may raise money as for other town charges. Manufacturing and other corporations are hereby authorized to subscribe for and hold stock of said Wiscasset Water Company.

May contract to supply water.

Town may contract for water, and exempt from taxation.

—corporations may subscribe for stock.

Capital stock.

SECT. 6. The capital stock of this company shall be fifty thousand dollars which may be increased by a vote of the

company to one hundred thousand dollars, and shall be divided into shares of one hundred dollars each. And said company for the purposes of this charter may hold real and personal estate necessary or proper therefor, not exceeding one hundred thousand dollars.

SECT. 7. Said corporation may issue its bonds for the construction of its works of any and all kinds at such rates of interest and on such time as it may deem expedient, to an amount not exceeding one hundred thousand dollars, and not exceeding the amount of stock subscribed for and secure the same by a mortgage of the franchises and property, present and prospective, of said company.

May issue bonds, and mortgage property.

SECT. 8. The first meeting of the corporation may be called by any two of the three first named corporators herein named, by a written notice thereof signed by them, served upon each corporator by giving him the same in hand or by leaving the same at his last and usual place of abode, seven days at least 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 the corporation shall have organized and commenced the actual construction of its works under this charter.

—when act becomes null.

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

Approved March 12, 1895.

Chapter 155.

An Act authorizing the building of a bridge across tide waters in Gilpatrick's Cove in the town of Mount Desert.

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

SECT. 1. William Warren Vaughan is hereby authorized to construct and maintain a foot bridge from his land at Smallidge Point, North East Harbor, in the town of Mount Desert and county of Hancock, across Gilpatrick's Cove, so called, to or towards the highway lying easterly of his said land; a suitable draw of twenty-five feet opening to be built and maintained in said bridge by said W. W. Vaughan.

W. W. Vaughan, authorized to construct a foot bridge.

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

Approved March 12, 1895.