

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-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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.
1895.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1895.

CHAP. 185 the same in hand, or mailing the same to his last and usual address seven days before the time of meeting.

SECT. 15. This act shall take effect when approved.

Approved March 14, 1895.

Chapter 185.

An Act to extend the charter of the Bath, Small Point and Popham Beach Railroad Company.

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

Charter
extended, two
years.

The period with which the Bath, Small Point and Popham Beach Railroad Company must have organized and commenced actual business under its charter, is hereby extended until March eleven, eighteen hundred and ninety-seven.

Approved March 14, 1895.

Chapter 186.

An Act to incorporate the North Berwick Water Company.

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

Corporators.

SECT. 1. William B. Tobey, John B. Russell, Richard Henry Hurd, Daniel A. Hurd and Charles W. Greenleaf of North Berwick, in York county, their associates, successors and assigns, are hereby incorporated by the name of the North Berwick Water Company, for the purpose of supplying the village of North Berwick in the county of York, and the inhabitants of said North Berwick with pure water for industrial, manufacturing, domestic, sanitary and municipal purposes, including extinguishment of fires.

Corporate
name.

—purposes.

May take
water from
Ell pond. ;

SECT. 2. Said company, for said purposes, may detain, collect, take, store, use and distribute water from Ell pond in Sanford, Wells and North Berwick or any other water source or sources, within a radius of five miles of North Berwick village.

SECT. 3. Said company is authorized to lay, construct and maintain in, under, through, along and across the highway, ways, streets, railroads and bridges in said village, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen may impose. And said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highway, ways and streets, and shall further be liable to pay to said town, all sums recovered against said town, for damages from obstructions caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

May lay pipes,
etc., along
highways.

—responsible
for all
damage.

SECT. 4. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purpose of their incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or streets, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements thus removed by it, to be placed in proper condition.

May cross any
water course,
private or
public sewer.

—shall not
obstruct pub-
lic travel.

SECT. 5. Said company is hereby authorized to lay, construct and maintain its pipes under the highway, ways and streets and to build and maintain all necessary structures therefor.

May lay pipes
under
highways.

SECT. 6. Said company may take and hold any lands necessary for reservoirs, hydrants and other necessary structures, and may locate, lay and maintain pipes, hydrants, and other necessary structures or fixtures in, over and through any land for its purposes, and excavate in and through such lands for such locations, constructions and maintenance. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of York, plans of such locations and lands, showing the property taken; and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be

May take
land.

—shall file
plan in
registry of
deeds.

CHAP. 186

continued for three weeks successively. Not more than two rods in width of land shall be occupied with any one line of pipe or aqueduct, and not more than one acre by any one reservoir.

Damages, how assessed, in case of disagreement.

SECT. 7. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may, within twelve months after said filing of plans of location, apply to the commissioners of said county of York, and cause such damages to be assessed 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, so far as such law is consistent with the provisions of this act; if said company shall fail to pay such land owner, or deposit for his use with the clerk of courts of the county, the said location shall be thereby invalid, and said company forfeits all rights under the same, as against such land owner. Said company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered him by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners, in such sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid.

—location invalid, if damage is not paid.

Damages for taking water, how assessed.

SECT. 8. Any person or corporation suffering damage by the taking and diverting of water by said company as provided by this act, may have his damages assessed in the manner provided in 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. And a tender by said company may be made with the same effect as in the preceding section.

May make contracts to supply water.

SECT. 9. Said corporation is hereby authorized to make contracts with corporations and inhabitants of said village of North Berwick, for the purpose of supplying water as contemplated by this act. And said village of North Berwick

is hereby authorized by its selectmen to enter into contract with said company for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burden as said village and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

CHAP. 187

—town may contract for water, and exempt from taxation.

SECT. 10. The capital stock of said company shall not exceed one hundred thousand dollars.

Capital stock.

SECT. 11. Said company for all of its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

May hold property to amount of \$100,000.

SECT. 12. Said company may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of one hundred thousand dollars and not exceeding the amount of capital stock subscribed for, and secure the same by mortgage of the franchise and property of said company.

May issue bonds, and mortgage property.

SECT. 13. The first meeting of said company may be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator 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.

First meeting, how called.

SECT. 14. This act shall become null and void in two years from the time when the same takes effect, unless the corporation shall have organized and commenced the construction of its works under this charter.

When act shall become void.

SECT. 15. This act shall take effect when approved.

Approved March 14, 1895.

Chapter 187.

An Act to incorporate the York County Medical Society.

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

SECT. 1. Lora D. Dennett, Walter T. Goodale, Jasper D. Cochrane, Charles W. Pillsbury, William J. Maybury, J. D. Haley, Harry A. Weymouth and Charles W. Harwood of Saco; S. J. Bassford, Fred L. Davis, John Lord, John S. Fogg, Caleb J. Emery and E. D. O'Niel of Biddeford; James O. McCorison and H. K. Colbath of North Berwick;

Corporators.