

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE

1899.

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.

1899.

charters of said places. This act shall take effect when approved by the governor so far as necessary to empower the calling of said meetings.

Section 15. Sections two, three and four of this act shall be inoperative, null and void, unless the said water district shall first acquire by purchase, or by exercise of the right of eminent domain as in this act provided, the plant, property, franchises, rights and privileges now held by the Maine Water Company within said district and said towns of Benton and Winslow.

Section 16. All costs and expenses arising under the provisions of this act shall be paid as directed by the court.

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Sections 2, 3 and 4, inoperative, unless water district shall acquire the plant, etc., of the company.

Costs and expenses, how paid.

Approved March 17, 1899.

Chapter 201.

An Act to incorporate the Lisbon and Topsham Water Company.

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

Section 1. Edward Plummer, H. A. Christopher, W. H. Newell, H. E. Plummer, W. E. Plummer, Frank C. Whitehouse, John A. Fisher, George E. Stinson, Charles S. Whitney, J. W. Wakefield, George L. Leonard and William T. Haines, with their associates, successors and assigns are hereby made a corporation by the name of the Lisbon and Topsham Water Company, for the purpose of conveying to and supplying the towns of Lisbon and Topsham, including the villages of Lisbon, Lisbon Falls, Pejepscot and Topsham, and any other villages which may hereafter be organized in either of said towns of Lisbon and Topsham in the county of Androscoggin and state of Maine, with pure water.

Corporators.

—corporate name.

—purpose.

Section 2. Said corporation for said purposes may hold real and personal estate necessary and convenient therefor, to an amount equal to the amount of the capital stock issued by this corporation.

May hold estate equal to capital stock.

Section 3. Said corporation is hereby authorized for the purposes aforesaid, to take, collect, store, flow, use, detain, distribute and convey to the towns of Lisbon and Topsham aforesaid, or any village or villages therein, water from any stream, lake, pond, or springs situated in the towns of Bowdoin, Webster, Lisbon, Topsham, Durham, or from Sabattus pond, in the state of Maine, and it is also authorized to locate, construct and maintain dams, pumps, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, stand pipes, hydrants, and

May take water.

CHAP. 201

--may take land.

--shall file plan of location in registry of deeds.

Liabie for all damages.

--how ascertained in case of disagreement.

Application for damages shall be made within two years.

--failure to apply, shall be deemed a waiver.

--costs, how recovered.

Capital stock.

May lay pipes through streets.

all the necessary structures therefor; and said corporation may take as for public purposes by purchase, or in any other lawful way, and hold any lands or real estate necessary therefor, and may excavate through any lands when necessary for the purposes of this corporation. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds for the county wherein located, plans and a description of such locations and lands taken, or in which an easement is taken under the provisions of this act, and a statement of the purposes for which lands and easements are taken, and such plans and description shall be recorded by the register; and such lands or easements shall be deemed to be taken on the filing of such certificate, but such corporation shall not enter on such lands until the expiration of ten days from such filing.

Section 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 excavation through any land for the purpose of laying down pipes and aqueducts, building dams, stand pipes, reservoirs, and pumping plant; and if any person sustaining damages as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, then such person may cause his damages to be ascertained in the same manner and under the conditions, restrictions and limitations as are by law prescribed in the case of damages by laying out of railroads.

Section 5. Application shall be made by the land owner to the commissioners of the county wherein located, at any time within a period of two years from the taking of such land or other property, or by the doing of other injury under the authority of this act; but if no application is made within the two years as aforesaid, the party claiming to have suffered damage shall be deemed to have waived his claim therefor. The said corporation 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 the said corporation, he shall recover costs, otherwise the said corporation shall recover costs.

Section 6. The capital stock of this corporation shall be fixed by the incorporation and associates at any regularly and legally held meeting, by a majority vote thereof not to exceed two hundred thousand dollars. Said stock shall be divided into shares of one hundred dollars each.

Section 7. Said corporation is hereby authorized to lay down, in and through the streets and ways of said towns of Lisbon and Topsham and any village or villages therein, and to

take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of its incorporation. Said corporation shall be held responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall be liable to pay to said towns all sums recovered against said towns for damages from obstructions caused by said corporation, including reasonable legal expenses thereby incurred.

—responsi-
ble for
damages.

Section 8. Said corporation is hereby authorized to make contracts with said towns of Lisbon and Topsham, or any village corporation now existing or hereafter created in said towns of Lisbon and Topsham and with other corporations and persons for the purpose of supplying water as contemplated under this act, and particularly to supply water for the extinguishment of fires through hydrants within any village or villages situated in the towns of Lisbon and Topsham, or to any other portion of said towns and either of said towns of Lisbon and Topsham or any village corporation duly organized therein by their selectmen, or other duly authorized officers, may enter into a contract with this corporation for the supply of water for public purposes within said towns for a term of years, and the consideration for any contract for said supply of water may include the payment of any tax which may be assessed upon the property or franchise of the said corporation by the said towns of Lisbon and Topsham or any other municipal corporation organized therein as part of the consideration for supply of said water, as said towns or any municipal corporation therein may mutually agree upon by vote to make with this corporation.

May con-
tract to
supply water

—towns may
contract for
water sup-
ply.

Section 9. Said corporation shall have power to cross any water course, railways or private ways, private or public sewers, or change the direction of such sewers when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby. Whenever the said corporation shall lay down any pipe in any street, 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 cause the earth and pavements removed by it to be replaced in proper condition.

May cross
any water
course or
sewer.

—shall not
impair
use of.

—nor ob-
struct public
travel.

Section 10. Said corporation may issue its bonds for the construction of its works upon such rates and times as it may deem expedient, not exceeding in the aggregate to the amount of capital stock authorized and issued, and may secure the same by mortgage of the franchises and the property of said corporation.

May issue
bonds and
mortgage
property.

Section 11. The first meeting of said corporation may be called by written notice thereof, signed by any one of the incorporators, by mailing the same to each corporator at his usual

First meet-
ing, how
called.

CHAP. 202

place of abode, postage prepaid, at least seven days before the time of said meeting.

Section 12. This act shall take effect when approved.

Approved March 17, 1899.

Chapter 202.

An Act for the better protection of Sheep in the Town of Perry.

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

Inventory of dogs in Perry, shall include dogs of Indians at Pleasant point.

Dogs of said tribe, shall be registered and licensed.

—fees.

Town clerk shall issue licenses and collect fees.

—how disposed of.

Penalty for keeping a dog, contrary to this act.

Dogs not licensed, shall be killed.

Section 1. The assessors in the town of Perry shall include in their inventory of dogs, all dogs owned by or in possession of members of the tribe of Indians at Pleasant point, an Indian reservation adjoining said town of Perry.

Section 2. Every member of said tribe of Indians, at Pleasant point, that owns or keeps a dog, more than four months old, shall annually, before the first day of April, cause it to be registered, numbered, described and licensed for one year from the first day of April, in the office of the clerk of the town of Perry, and shall keep around its neck a collar, distinctly marked with the owner's name and its registered number, and shall pay to said clerk for a license the sum of one dollar and fifteen cents for each male dog, and three dollars and fifteen cents for each female dog, and any member of said tribe at Pleasant point, becoming the owner or keeper of a dog after the first day of April, not duly licensed, shall cause it to be registered, numbered, described and licensed as provided above.

Section 3. The clerk of said town of Perry shall issue said license and receive the money therefor, and pay the same to the treasurer of said town within thirty days thereafter, retaining to his own use fifteen cents for each license issued; and the said treasurer shall pay the money so received to the state treasurer on or before September first of each year.

Section 4. Any member of said tribe of Indians at Pleasant point that keeps a dog contrary to the provisions of this act shall pay a fine of ten dollars, or be punished by imprisonment in the jail in the county of Washington for not more than thirty days.

Section 5. The selectmen of said town of Perry shall annually, within ten days from the first day of May, issue a warrant to any constable of said town, or to the constable of said tribe of Indians, directing them to proceed forthwith, either to kill or cause to be killed, all dogs at said Pleasant point not licensed and collared according to the provisions of this act, and to enter