

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1870.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1870.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1870.

CHAP. 463.

and made valid,
and all the doings
of said planta-
tions.

Assessors,
authority of.

in making said organizations and transmitting the returns thereof to the secretary of state's office; and all the acts and doings of said plantations in voting, raising and expending money for schools and other purposes in past years, and of the assessors of said plantations in assessing and committing the tax bills of said plantations for collection, are hereby legalized.

SECT. 2. The assessors of said plantations for the time being, are hereby authorized to commit by warrant in due form of law, the tax bills remaining unpaid in the assessments of past years, to any constable or collector of said plantations, with authority to enforce the payment of such, notwithstanding any errors or omissions of said assessors in the commitments of those years.

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

Approved March 12, 1870.

Chapter 463.

An act to supply the people of Augusta with pure water.

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

Corporators.

SECT. 1. Adam Lemont, Richard D. Rice, Benjamin H. Cushman, Darius Alden, Warren Johnson, A. B. Farwell and H. S. Osgood, with their associates and successors, are hereby made a corporation by the name of the Augusta Water Company, for the purpose of conveying to the city of Augusta a supply of pure water for domestic and municipal purposes.

Name.

Purpose.

May hold real and
personal estate.

SECT. 2. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount twenty-five thousand dollars.

Land or real
estate necessary
for erecting and
maintaining dams
and reservoirs,
&c., may be
taken.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid, to take and hold by purchase any land or real estate necessary for erecting and maintaining dams and reservoirs, and for laying and maintaining aqueducts for conducting, discharging, distributing and disposing of water and of forming reservoirs thereof.

Damages, liability
of corporation
for.

SECT. 4. Said corporation shall be liable to pay all damages that shall be sustained by any persons in their property by the taking of any land or mill privilege, or by flowage, or excavating through any land for the purpose of laying down pipes, building dams, or constructing reservoirs; and if any person sustaining damage as aforesaid and said corporation shall not 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

In case of dis-
agreement of
damages, how
determined.

same conditions, restrictions and limitations, as are by law prescribed in the case of damages by the laying out of highways.

SECT. 5. The capital stock of said company shall not exceed twenty-five thousand dollars, and shall be divided into shares of one hundred dollars each. Said capital stock shall be applied exclusively to the supply and distribution of water for the purposes set forth in this act.

Capital stock and shares.

SECT. 6. The said company are hereby authorized to lay down, in and through the streets of said city, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the objects of their corporation, first having obtained the consent of the city council therefor, and such restrictions and regulations as said city council may see fit to prescribe; and any obstruction in any street of said city, or taking up or displacement of any portion of any street without such consent of the city council, or contrary to the rules and regulations that may be prescribed as aforesaid, shall be considered a nuisance, and said company shall be liable to indictment therefor and to all the provisions of law applicable thereto; and said company shall in all cases be liable to repay to said city all sums of money that said city may be obliged to pay on any judgment recovered against said city for damages occasioned by any obstructions, or taking up or displacement of any street by said company whatever, with or without the consent of the city council, together with counsel fees and other expenses incurred by said city in defending any suit to recover damages as aforesaid, with interest on the same, to be recovered in an action for money paid to the use of said company.

Authorized to lay down and repair pipes through the city.

City council, consent of, required.

Obstructions, liabilities in case damages caused by.

SECT. 7. Whenever the company shall lay down any pipes or aqueducts in any street, or make any alterations or repairs upon their works in any street, they shall cause the same to be done with as little obstruction to the public travel as may be practicable, and shall, at their own expense, without unnecessary delay, cause the earth and pavement removed by them to be replaced in proper condition. They shall not be allowed in any case to obstruct or impair the use of any public or private drain or common sewer or reservoir; but said company shall have the right to cross, or where necessary, to change the direction of any private drain in such a manner as not to obstruct or impair the use thereof, being liable for any injury occasioned by any such crossing or alteration, to the owner thereof or any other person, in an action upon the case.

Construction, alterations and repairs, &c., how made.

Public or private way, sewers, &c., obstruction of.

SECT. 8. The mayor and aldermen for the time being shall at all times have the power to regulate, restrict and control the acts and doings of said corporation, which may in any manner effect the health, safety or convenience of the inhabitants of said city.

Mayor and aldermen may regulate certain doings of corporation.

CHAP. 464.

First meeting,
how called.

SECT. 9. The first meeting of said corporation may be called by a notice signed by any two of the corporators, published five days successively before the day fixed for such meeting, in any newspaper published in Augusta.

SECT. 10. This act shall be taken and deemed to be a public act and shall be in force from and after its approval by the governor.

Approved March 12, 1870.

Chapter 464.

An act to incorporate the Lewiston General Hospital.

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

Corporators.

SECT. 1. A. D. Lockwood, Samuel Pickard, J. M. Frye, William Kilborn, A. Garcelon, H. L. K. Wiggin, Daniel Holland, T. F. Packard, N. W. Farwell, N. Dingley junior, S. Oakes, William P. Frye, their associates and successors, are hereby incorporated and made a body politic by the name of the Lewiston General Hospital, and by that name may sue and be sued, and may have a common seal, and shall have all the immunities and privileges and be subject to all the liabilities of like corporations.

Name.

May purchase
and hold lands
and tenements,
and dispose of
same.

Grants, devises
and subscrip-
tions, to be used
for erection, sup-
port and main-
tenance of a gen-
eral hospital to
be located in
Lewiston.

SECT. 2. Said corporation may purchase, hold and possess lands and tenements in fee simple or otherwise, and dispose of and sell the same, and may receive of and from all persons disposed to aid its benevolent purpose any grants and devises of real estate and donations, subscriptions and bequests of money or other property, to be used for the erection, support and maintenance of a general hospital to be located in the city of Lewiston. Said hospital shall be open to all sick persons who may desire to avail themselves of its privileges.

Direction and
management of
hospital shall be
by trustees.

SECT. 3. The said hospital shall be under the direction and management of seven trustees who shall be chosen annually, and shall remain in office until others are chosen and qualified in their stead. The said trustees shall be chosen by said corporation, and all vacancies occurring in the said board of trustees shall be filled by said corporation.

Trustees, choice
of.
Vacancies.

By-laws.

SECT. 4. The said corporation shall have power to make and establish such by-laws and regulations as may be necessary for the choice of all proper officers, to prescribe their duties and powers, and to provide generally for the internal government and economy of the hospital, such by-laws and regulations not being repugnant to the constitution and laws of this state.