

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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1887.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

Chapter 94.

An Act to incorporate the Belfast Water Company.

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

SECT. 1. Charles J. Gilman, Charles F. Parks, William Wheeler, their associates and successors, are hereby made a corporation by the name of the Belfast Water Company, for the purpose of furnishing to the people of Belfast a supply of pure water for domestic, mechanical and manufacturing purposes, and to the city of Belfast, water for the extinguishment of fires and other public uses, with all the rights, privileges, immunities, duties and obligations incident to similar corporations.

Corporators.
Corporate name.
Purposes.

SECT. 2. The capital stock of said corporation shall not exceed one hundred and fifty thousand dollars; it may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid; and it may issue bonds and other obligations, secured by a mortgage of its franchise and other property, to carry out the purposes for which it is created.

Capital stock.
May hold real estate.
—issue bonds and mortgage property.

SECT. 3. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein including the water of any ponds, streams, springs or artesian wells necessary for obtaining a sufficient supply of water, for the construction of reservoirs and laying pipes; and may erect and maintain all necessary dams, reservoirs, stand-pipes and hydrants; it may lay its pipes through the lands of persons and corporations, and having first obtained the permission of the municipal officers of said city, and under such restrictions and regulations as they may prescribe, along the streets and ways of said city, and may lay its pipes under any railroad, water-course, or private way, and cross any drain or sewer, or pipe for the distribution of gas, provided, that in the matter of crossing gas-pipes, it shall at its own expense, and within reasonable time, replace, repair and cover all such gas-pipes and mains as may be displaced, injured or disturbed during the construction and repair of its water works; and it may enter upon and dig up any such real estate, railroad, street or way, for the purpose of laying pipes or erecting hydrants or other fixtures and maintaining and repairing the same; and it may do any other act or thing

May take real estate, water, etc.

—erect dams, etc.
—lay pipes through private lands, under railroads, private ways, etc.

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necessary, convenient and proper to carry out the purpose of providing a supply of water, and distributing the same to the inhabitants of said city for the uses aforesaid.

Shall file, in registry of deeds, description of land purchased or taken.

SECT. 4. Said corporation shall file in the registry of deeds a certificate containing a description of the land purchased or taken, or in which an easement is taken, under the provisions of the act, and a statement of the purposes for which it is taken, to be recorded by the register; and such land or easement shall be deemed to be taken upon the filing of such certificate, but this section shall not apply to the service pipes leading from the main pipe for the purpose of distributing the water.

Liability for damages.

SECT. 5. Said corporation shall pay all damages sustained by any person or corporation in property, by the taking of any land, right of way, water, water source, water right or easement, or by the erection of any dam, or by any other thing done by said corporation under the authority of this act. Any person or corporation sustaining damages as aforesaid, may have the same determined in the manner provided by law for the assessment of damages for lands taken for railroads, upon application at any time within the period of three years from the taking of such land or other property, or the doing of other injury, under the authority of this act; but if no application is made within three years as aforesaid, the party claiming to have suffered damages, shall be deemed to have waived his claim therefor.

Damages, how determined,

May distribute water and fix rates.

SECT. 6. Said corporation may distribute the water through said city of Belfast; may regulate the use of said water and fix and collect water rates to be paid for the same; but such rates shall not exceed those in other towns and cities in Maine, of the general size and circumstances of Belfast and similarly situated; and after it shall commence receiving pay for water supplied by it, said corporation shall be bound to furnish, at reasonable rate as aforesaid, water to the inhabitants of said city for said uses within a reasonable distance from the main pipe, and to said city in its corporate capacity for public uses. And said city is hereby authorized to contract with said corporation for water for public uses, on such terms as the parties may agree, including the remission of taxes upon the real estate, fixtures and plant of said corporation, and may raise money therefor in the same manner as for other city charges.

—not to exceed rates in other cities.

—city may contract for water, and exempt company from taxation.

Penalty for corrupting waters or injuring property.

SECT. 7. Any person who shall willfully and maliciously corrupt the waters of any of the sources of supply, or reser-

voirs of said corporation, or render them impure, or who shall leave or throw any offensive matter or materials upon them when frozen over, or who shall willfully injure any dam, reservoir, conduit, pipe, hydrant, engine, water wheel, or other property held, owned or used by said corporation for the purposes of this act, shall pay three times the amount of damages to said corporation, to be recovered in any proper action; and every such person, on conviction of either of said acts aforesaid, shall be punished by fine not exceeding five hundred dollars, and by imprisonment not exceeding one year.

SECT. 8. If said corporation shall find it necessary to lay its pipes over tide-water, it may build and maintain all necessary piers and other structures, causing as little obstruction to navigation as possible.

Authorized to lay pipes over tide-water.

SECT. 9. This act shall take effect when approved.

Approved February 15, 1887.

Chapter 95.

An Act authorizing Frank W. Lincoln to hang and use a wrecking boom in Penobscot River.

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

SECT. 1. Frank W. Lincoln and his associates and assigns, are hereby authorized to hang and use booms in Penobscot river at or near Thompson's Point on the west side thereof, and on the south side of Eaton's Cove on the east side of said river for wrecking purposes, with the right to collect toll on logs caught therein from the opening of said river in each spring, until the first steam mill drive of logs is turned into said river. On notice whereof, said boom shall be forthwith removed by said Lincoln, his associates or assigns, and failing so to do, it may be removed by any officer of the Bangor Boom Corporation at the expense of said Lincoln, his associates or assigns.

F. W. Lincoln, et als., authorized to hang booms in Penobscot river.

Rights.

When boom shall be removed.

SECT. 2. In case any mill or lumber or wood manufactory shall be located at or near said boom or booms, said boom or booms shall be removed and all rights under this charter terminated.

When right shall terminate.

SECT. 3. Said Frank W. Lincoln, his associates or assigns may collect as toll on each log caught or secured in said boom

Tolls established.