

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

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Published by the Secretary of State, agreeably to Resolves of June 28,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1879.

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CHAP. 176. for the payment of all penalties and costs incurred by the owners, charterers or officers.

Not to apply outside Casco Bay.

SECT. 6. This act shall not apply to any wharf or wharves, slip, or other landing place outside the limits of Casco Bay.

Approved February 27, 1879.

**Chapter 176.**

An Act authorizing Albert M. Bradley to dredge and navigate China Pond.

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

Albert M. Bradley authorized to clear channels etc., in China pond. Exclusive right of navigating by steam for ten years.

SECT. 1. Albert M. Bradley, his associates and assigns, are hereby authorized to clear channels, dredge bars and remove stones in China pond, so called, in the towns of China and Vassalborough ; and are hereby vested with the exclusive right against all persons, of employing and navigating every kind of boat or water craft, propelled by steam, for carrying passengers on said China pond, for the term of ten years from the passage of this act ; provided, that if the said Albert M. Bradley or his assigns shall neglect for the term of two years to navigate said pond by steam as herein provided, then this act shall be void.

Proviso.

Penalty for navigating said pond by steam without authority.

SECT. 2. Any person who shall use or employ on said pond, any boat, or water craft propelled by steam, as carriers of passengers, without being authorized by said corporator, his associates or assigns, shall forfeit for each offense not less than twenty dollars and not exceeding one hundred dollars, to be recovered by and for the use of said corporator, his associates and assigns, in an action of debt.

How recovered.

Approved February 27, 1879.

**Chapter 177.**

An Act to supply the people of Fryeburg Village with pure water.

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

Names of corporators.

SECT. 1. Asa O. Pike, John Locke, Wm. G. Spring, Frank A. Wiley, Harrison McNeal, David R. Hastings, Daniel W. Bradley, Edward E. Hastings, Cassius W. Pike, Albro R. Jenness, John W. Thoms and Frank Y. Bradley, with their associates and successors, are hereby made a corporation, by the name of the Fryeburg Water Company, for the purpose of conveying to the

Fryeburg Water Company.

village of Fryeburg a supply of pure water for domestic and other purposes.

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

Powers of corporation.

SECT. 3. 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 excavating through any land, for the purpose of laying down 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 damage to be assessed in the manner and under the same conditions, restrictions and limitations as are by law prescribed in case of damage by laying out highways.

Liabilities for land damages.

How damages fixed.

SECT. 4. The capital stock shall not exceed ten thousand dollars, and shall be divided into shares of twenty-five 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. No. and amount of shares.

SECT. 5. Nothing in this act shall be construed to affect or diminish the liability of said corporation for any injury to private property, by depreciating the value thereof, or otherwise, but said corporation shall be liable therefor, in an action on the case.

Nothing herein to diminish liability for injury to private property.

SECT. 6. The said company are hereby authorized to lay down in and through the streets of the village of Fryeburg, or its surroundings in the town of Fryeburg, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the objects of its corporation, first having obtained the consent of the selectmen of said town therefor, and under such restrictions and regulations as said selectmen may see fit to prescribe; and any obstruction in any street of said village, or taking up or displacement of any portion of the street without the consent of the selectmen, or contrary to the rules prescribed herein, 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 obliged to repay to said town all sums of money that said town shall be obliged to pay on any judgment recovered against said town, for damages occasioned by any obstructions, or taking up or displacement of any street by said company, with or without consent of said town, together with counsel fees and costs made in defending any suit for damages as aforesaid, with interest on the same, to be recovered in an action for money paid to the use of said company.

Authority to lay pipes and fixtures.

Proceedings and regulations.

Acting without consent of selectmen.

Company to repay any amount that the town may have had to pay for damages.

Counsel fees and costs.

How recovered.

SECT. 7. Whenever the company shall lay down any pipes or aqueducts in any street or make any alterations or repairs upon its 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

To cause work to be done with as little obstruction to public travel as possible.

CHAP. 178. replace in proper condition the earth removed by them. They shall not in any way impair or obstruct any public or private drain.

Drains not to be obstructed. Maliciously injuring the property of said company, corrupting waters etc., punished.

Penalty, how recovered.

Fine and imprisonment.

First meeting, how called.

SECT. 8. Any person who shall maliciously injure any of the property of said company, or who shall corrupt the waters, or render them in any manner impure, or who shall wilfully destroy or injure any dam or reservoir, aqueducts or pipes, or other property held and used by said corporation, for the purposes of this act, shall pay three times the amount of damage to said company, to be recovered in any proper action, and every such person on conviction thereof, of either of said acts, be punished by a fine not exceeding one hundred dollars and imprisonment not exceeding six months.

SECT. 9. The first meeting of said corporation may be called by a written notice signed by two of the corporators, and posted conspicuously in two or more public places in said village, five days before the time fixed for said meeting.

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

Approved February 28, 1879.

### Chapter 178.

An Act to authorize certain Cities and Towns to pay the bonds issued in aid of the Knox and Lincoln Railroad Company, and to issue new bonds for that purpose.

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

Certain cities and towns authorized to pay railroad bonds by issuing new ones.

Form, amount, interest etc., of new bonds to be determined by vote.

Indebtedness not to be increased.

Mortgages heretofore given by the railroad Co., to remain in force.

SECT. 1. The cities of Bath and Rockland, and the towns of Wiscasset, Newcastle, Damariscotta, Nobleborough, Waldoborough and Thomaston, are hereby authorized to pay the bonds issued by such cities and towns respectively, in aid of the Knox and Lincoln Railroad Company, either at or before the maturity thereof, and for this purpose to issue new bonds in such form and amount and with such rates of interest and payable at such times and manner as shall be determined by a major vote of the qualified voters of said cities and towns, at meetings thereof, called according to law for that purpose, provided, however, that nothing herein contained, shall authorize any increase in the indebtedness of either of said cities or towns.

SECT. 2. The mortgages heretofore given by said railroad company to said cities and towns, to secure the payment of such bonds issued in aid of said company, and the lien of said cities and towns upon the franchise, road and other property of said company, shall continue and remain in full force and effect, notwithstanding such bonds may be paid by the cities and towns in