

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1873.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1873.

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CHAP. 386.

Corporate name.  
Legal remedies.

are hereby made and constituted a body politic and corporate by the name of the Saco Slate Quarry Manufacturing Company, with power by that name to sue and be sued, and to have all the powers, privileges and immunities, and be subject to all the duties and liabilities contained in the laws of this state relating to such manufacturing corporations.

Purpose.

SECT. 2. Said corporation is authorized to manufacture slate and such other articles as may be conveniently connected therewith, with power to purchase, hold and sell such articles, and to lease, purchase and hold such personal and real estate as may be deemed expedient. Also to make such by-laws and regulations for the management and government of said corporation as may be deemed necessary and proper.

By-laws.

Capital stock.

SECT. 3. Said corporation shall have a capital stock of seventy-five thousand dollars, with liberty to increase the same from time to time by a majority vote of the stockholders at any meeting duly called for that purpose, to a sum not exceeding one hundred and fifty thousand dollars; said stock to be divided into shares of one hundred dollars each. The company may also issue its bonds for construction and manufacturing purposes to an amount not exceeding forty thousand dollars, of such tenor and upon such rates and time as the stockholders may determine, and secure the same by a mortgage upon the property of the company.

Shares.

May issue bonds.

Payment of bonds, how secured.

First meeting, how called.

SECT. 4. Any one of the persons named in the first section of this act may call the first meeting of said corporation by giving seven days' notice thereof in writing to each of the corporators.

SECT. 5. This act shall take effect when approved.

Approved February 26, 1873.

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**Chapter 386.**

An act to supply the cities of Lewiston and Auburn with pure water.

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

Lewiston and Auburn authorized to take water from Wilson pond.

SECT. 1. The cities of Lewiston and Auburn are authorized and empowered to take water from Wilson pond, in the city of Auburn, sufficient for domestic purposes in said cities of Lewiston and Auburn, including a sufficient quantity for extinguishing fires and the supply of hotels, livery stables and laundries within said cities. But nothing in this act shall authorize the use of water so taken for the purpose of propelling machinery nor for any manufacturing purposes.

SECT. 2. For the purposes of carrying out the provisions of this act, said cities may hold jointly or severally, real and personal estate necessary and convenient, and make any contract of purchase therefor.

CHAP. 386.  
May hold real and personal estate.

SECT. 3. Said cities are authorized for the purposes aforesaid, to take and convey through the cities of Lewiston and Auburn, and to all parts of said cities of Lewiston and Auburn, the water of Wilson pond aforesaid, by an aqueduct or pipe sunk to any depth desirable for the purpose; and may also take and hold by purchase or otherwise, jointly or severally, any land necessary for laying and maintaining pipes, aqueducts, locks, gates, dams, hydrants, and reservoirs for taking, conducting, holding, discharging and distributing water.

Right to convey water.

May hold land for laying pipes, aqueducts, &c.

SECT. 4. For the purposes of carrying into effect the provisions of this act, the city council of each of said cities of Lewiston and Auburn shall in the month of March elect by ballot a board of water commissioners, consisting of three persons whose several duty it shall be to perform all acts for the respective cities of Lewiston and Auburn necessary and convenient for the full operation of this act, or as directed by said city council of each of said cities. The three persons first chosen as aforesaid in each city shall serve one for one year, one for two years, and one for three years, as may be designated by the city council when elected, and thereafterwards one upon each of said boards shall be elected by ballot annually in the month of March to serve for the term of three years, and they may be removed at any time by vote of the council that elected them, and by the election of others to fill their unexpired terms.

Commissioners.

—term of office.

—may be removed.

SECT. 5. Said water commissioners may enter upon any land for the purposes of survey and location of pipes, aqueducts, drains, dams, locks, hydrants and reservoirs, and any necessary excavations doing unnecessary damage, and within thirty days after taking and marking out any land taken for pipes, aqueducts, drains, locks, hydrants and reservoirs, and any necessary excavations, under and by virtue of this act, shall file in the registry of deeds for the county of Androscoggin, a description thereof, giving the courses and width of land taken, and in case of excavations or openings in the land, whether they are to remain open or to be covered; and the purposes for which such land is taken, and such description shall be signed by the water commissioners for both cities where the land is taken for the use of both cities to carry out the provisions of this act, and such description shall be signed by the commissioners of the board of either city where the land is taken for such city by virtue of this act.

—may enter upon land for locating pipes, aqueducts, &c.

—shall sign and file description of land taken with register of deeds.

SECT. 6. Said cities of Lewiston and Auburn shall be liable in proportion to the quantity of water taken and used by each for

Proportionate liabilities for damages.

CHAP. 386. the damages sustained by any persons or corporations in their property by taking any land for pipes, aqueducts, locks, or other structures used by said cities in common, and each city shall in like manner be liable for damages for any land taken under the provisions of this act; and if such damages cannot be determined by such persons or corporations and said boards of water commissioners, acting jointly for both cities, or severally for their respective cities, such persons or corporations may cause their damages to be assessed and determined in the same manner and under the same limitations as in case of land taken for county ways.

Damages, how determined.

SECT. 7. Said boards of water commissioners are authorized to fix for their respective cities the rates for water, to be paid monthly or annually by persons supplied with the same, subject to the action of the council in each of said cities, and in the same manner determine the conditions and manner of such supply.

Water rates, how fixed.

SECT. 8. Said cities are authorized for the purpose of carrying into effect the provisions of this act, to dig up and excavate any highway, and fill the same under the direction of the street commissioner of the city wherein such highway may be located.

Highways may be excavated.

SECT. 9. Said cities in order to carry out the provisions of this act may issue bonds of each of said cities with coupons annexed for the payment of interest at six per cent. semi-annually, under the direction of each city council and its committee on finance, payable at such time as may be fixed by each of said cities; and said bonds shall be signed by the mayor and treasurer of each of said cities issuing the same, but the coupons need be signed by the treasurer only, and shall be designated and marked Lewiston or Auburn, as the case may be, water loan, and the amount of such loan shall be fixed by the city council of the respective cities; and the rates for the supply of water under this act shall be fixed so that all expenses for repairs and management shall be paid annually, together with interest and not less than one per cent. of the principal expenditures.

Bonds and coupons, cities may issue.

—how signed.

Expenses, how paid.

SECT. 10. Damages to any persons or corporations or mill owners for taking water from Wilson pond under the provisions of this act, shall be determined and assessed in the same manner as herein provided in section six, for land taken under the provisions of this act, and the damages shall be paid by said cities in proportion to their valuation.

Damages for taking water from Wilson pond, how determined.

SECT. 11. Whenever the cities of Lewiston and Auburn shall fail to agree upon the amount to be paid for any joint expenditure, damages or benefit under this act, the supreme judicial court within and for the county of Androscoggin, on petition of either city, shall have authority at any term of said court after notice, to appoint three commissioners to hear and determine the matter

—in case of disagreement, how determined.

of difference; and the report of said commissioners, after notice to said cities, and hearing returned to said court in said county, at any term soon as may be, and accepted, shall be binding as an award of referees, and may be enforced by appropriate action at law.

SECT. 12. No person shall throw any refuse matter nor the carcasses of any dead animals into Wilson pond, nor shall injure, deface, dig up or destroy any structure made or constructed by either or both of said cities of Lewiston and Auburn, under and by virtue of the provisions of this act; and any person violating the provisions of this section shall be prosecuted by complaint before any municipal court in the county of Androscoggin, or by indictment and be imprisoned not more than six months in the county jail for said county of Androscoggin, or pay a fine not exceeding five hundred dollars.

Throwing refuse matter into Wilson pond prohibited.

Penalty for violation.

SECT. 13. If the said cities of Lewiston and Auburn shall not locate and commence to build said aqueduct or water-works on or before the first day of September, one thousand eight hundred and seventy-eight, nor shall not complete the said water-works before the first day of September, one thousand eight hundred and eighty-three, this act shall be void.

Time for locating and completing water works.

SECT. 14. This act shall take effect when approved.

Approved February 27, 1873.

## Chapter 387.

An act amendatory of and additional to chapter three hundred and ninety-eight of the public laws of eighteen hundred and sixty-four, and in addition to "an act to incorporate the city of Lewiston."

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

SECT. 1. The authority of the city council of the city of Lewiston to lay out, make, maintain and repair all main drains and common sewers in said city, shall remain as provided by chapter three hundred and ninety-eight of the public laws of eighteen hundred and sixty-four, to which this act is additional.

City council of Lewiston authorized to make and repair drains.

SECT. 2. To defray in part the expenses of making and repairing main drains and common sewers, the mayor and aldermen of said city may assess upon abutting lots of land, and upon lots benefited thereby, and upon such other lots as the health of said city requires to be drained, a sum not exceeding two-thirds of the cost of making and constructing such main drains and common sewers, exclusive of the cost of catch-basins and connecting drains,

—may assess abutting lots to defray part expenses.