

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1887.

ACTS AND RESOLVES

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SIXTY-FOURTH LEGISLATURE

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1889.

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February 18, 1840, and March 16, 1842.

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1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

CHAP. 384

any one corporator, said notice to be so published at least fourteen days before the date of such first meeting, or said first meeting may be called by a notice stating the time and place signed by any one corporator, served upon each of the other corporators either in person, or at their last and usual place of abode at least fourteen days before the day of such meeting. In either case the affidavit of the person who signed the notice as to the facts of service or publication, shall be sufficient proof of such service or publication accordingly.

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

Approved February 19, 1889.

Chapter 384.

An Act to incorporate the Deer Isle Water Company.

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

Corporators

SECT. 1. W. B. Thurlow, Frank S. Warren, S. B. Thurlow, William Smith, Elmer P. Spofford, F. B. Ferguson, Henry W. Sargent, S. G. Haskell, George M. Warren, William T. Haines, and Charles A. Spofford, their associates, successors and assigns, are hereby created into a body corporate, by the name of the Deer Isle Water Company, for the purpose of supplying the town of Deer Isle, in the county of Hancock, and the inhabitants of said town with water for industrial, manufacturing, domestic, sanitary, and municipal purposes, including the extinguishing of fires and sprinkling of streets.

Corporate name.
—purposes.

Authorized to take water.

SECT. 2. Said corporation for said purposes, may flow, detain, take, collect, store, use and distribute water from any pond or stream flowing from any pond, in said Deer Isle, and may locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants, and all other necessary structures therefor.

—construct dams, etc.

May lay pipes along highways, under direction of selectmen.

SECT. 3. Said company is hereby authorized to lay, construct and maintain, under, through, along and across the highways, ways, streets, railroads, bridges in said town, and to take up, replace and repair all such sluices, aqueducts,

pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen of said town may impose. And said company shall be responsible for all damages to all corporations, persons and property, occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages from obstruction caused by said company, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

—responsible for all damages

SECT. 4. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof where necessary, for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or 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, without unnecessary delay, cause any earth or pavements then removed by it, to be placed in proper condition.

May cross any private or public sewer.

—liability for injury.

SECT. 5. Said company can take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants, and other necessary structures, and may locate, lay and maintain sluices, aqueducts, pipes, hydrants, and other necessary structures and fixtures in, over and through any land for its said purposes, and excavate in and through such lands for such location, construction and maintenance.

Can take lands

SECT. 6. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may within twelve months after such taking apply to the commissioners of said county of Hancock, and cause such damages to be assessed in the same manner and under the same conditions, restrictions, and limitations as are by law prescribed in the case of damages resulting from the laying out of highways, so far as such law is consistent with this act. Said company may make a tender to any land owner damaged

Damages, how ascertained.

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under the provisions of this act, and if such owner recovers more damages than were tendered to him by said company, he shall recover costs, otherwise said company shall recover costs.

May contract to supply water.

SECT. 7. Said company is hereby authorized to make contracts with the United States and with corporations and the said town of Deer Isle, for the purpose of supplying water as contemplated by this act. And said town of Deer Isle is hereby authorized by its selectmen to enter into any contract with said company for a supply of water for any and all purposes mentioned in this act, including the remission of taxes upon real estate, fixtures, franchise, and plant of said corporation.

Town may contract for water, and exempt from taxation.

Penalty for corrupting water, or injuring works.

SECT. 8. Whoever shall wilfully or maliciously corrupt the water of any pond or stream from which said company shall take water, or any of the tributaries thereto whether frozen or not, or in any way render such water impure, whether frozen or not, or whoever shall wilfully or maliciously injure any of the works of said company, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage to be recovered in any proper action.

May lay pipes over tide waters.

SECT. 9. If said company shall find it necessary to lay its pipes over tide waters, it may build and maintain all necessary piers and other structures causing as little obstruction to navigation as possible.

Capital stock

SECT. 10. The capital stock of said company shall not exceed one hundred thousand dollars, and said stock shall be divided into shares of fifty dollars each.

May hold real estate.

SECT. 11. Said company for all of its said purposes may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

May issue bonds and mortgage property.

SECT. 12. Said company may issue its bonds for the construction of any of its works of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of one hundred thousand dollars, and secure the same by mortgage of the franchise and the property of said company.

First meeting, how called.

SECT. 13. The first meeting of said company may be called by a written notice thereof, signed by any one incor-

porator herein named, served upon each incorporator by giving in hand or by leaving the same at his last usual place of abode, seven days before the time of meeting.

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

Approved February 19, 1839.

Chapter 385.

An Act to incorporate the Kennebec Mutual Life Insurance Company.

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

SECT. 1. That F. C. Thayer, A. E. Davies, Arthur L. Moore, P. S. Heald, H. M. Heath, Louis C. Stearns, Turner Buswell, W. T. Haines, their associates, successors, and assigns be and hereby are made a body politic and corporate by the name of the Kennebec Mutual Life Insurance Company, for charitable and benevolent purposes, and furnishing relief and assistance by means of mutual agreement, and the payment of funds, carrying on the business of life insurance on the assessment plan. And said corporation may sue and be sued, defend and be defended, have and make by-laws and regulations which may be necessary to carry out the purposes of this act, and shall be vested with all the powers and privileges, and be subject to all the liabilities by law incident to corporations of a similar nature.

Corporators.

Corporate name.

—purposes.

—powers.

SECT. 2. Said corporation may purchase, take and hold by deed, gift, bequest, devise or otherwise, real and personal estate, for the purposes of said corporation to an amount not exceeding at any one time fifty thousand dollars, and may improve, use, sell and convey or otherwise dispose of the same.

May hold real and personal estate.

SECT. 3. Any two of the persons named in this act may call the first meeting of this corporation by personal notice, either written or printed, delivered or mailed to each corporator at least ten days before the time of meeting.

First meeting, how called.

SECT. 4. No part of the money realized from the assessments made to pay death benefits shall be used for any other purpose than the paying of said death benefits and the expenses necessarily incident thereto.

Assessments, shall be used only to pay death benefits.