

# 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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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1887.

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Winterville plantation, forty dollars. And the failure of one town or plantation to comply with the provisions of this act, shall not affect the rights of any other town or plantation under this act; provided, however, that no teacher shall be employed in any school receiving the benefit of this act, who is not able to speak and write the English language satisfactorily, and the English language shall be used in giving instruction and directing the discipline of the same.'

CHAP. 129

Failure of one town or plantation, not to affect rights of others. Proviso.

English language shall be taught.

Approved February 23, 1887.

### Chapter 129.

An Act to make valid the doings of the town of Sidney.

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

SECT. 1. The acts and doings of the town of Sidney, so far as affected by the acts of Nathan W. Benson and Joseph H. Field, as constables, de facto, from the year eighteen hundred and eighty up to and including the year eighteen hundred and eighty-six, are hereby legalized and made valid.

Doings of the town of Sidney, legalized.

SECT. 2. This act shall take effect when approved.

Approved February 23, 1887.

### Chapter 130.

An Act to incorporate the Boothbay Water Company.

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

SECT. 1. Luther Maddocks, A. R. Nickerson, C. H. Fisher, Isaiah Lewis, K. H. Richards, D. H. Moody, Freeman Boynton, N. K. Merry, N. S. Baker, A. H. Kenniston, their associates, successors and assigns are hereby made a corporation by the name of the Boothbay Water Company, for the purpose of conveying to and supplying the inhabitants of the town of Boothbay and the neighboring territory, with water for all domestic, sanitary, municipal and commercial purposes, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations, under the general laws of this state.

Corporators.

Corporate name.

Purposes.

CHAP. 130

SECT. 2. Said corporation is hereby authorized for the purposes aforesaid, to take, hold, and convey to said town of Boothbay and neighboring territory, and through any part thereof, water from Adams' pond, Echo Lake and Mill Cove pond, or either of them, in said town of Boothbay, or any streams flowing into or out of the same; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts, hydrants and fixtures; to carry its pipes and aqueducts under or over any water course, bay, creek, river, bridge, street, railroad, highway or other way. And said corporation is further authorized to enter upon and excavate any highway or other way, in such a manner as not unnecessarily to obstruct the same, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the said purposes; and to enter upon, pass over, excavate and flow any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water. And said corporation is further authorized for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein, and said corporation may establish written regulations for the use of said water.

Authorized to take water.

—erect dams, etc.

—carry pipes, etc., over any water course, etc.

—enter upon any highway.

—take lands.

—lay pipes through public or private lands.

Shall file plans in registry of deeds of Lincoln county.

—statement of damages it is willing to pay.

Liability for damages.

—how ascertained in case of disagreement.

SECT. 3. Said corporation shall file in the registry of deeds, in the county of Lincoln, plans of the location of all land and water rights, taken under the provisions of this act; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from such filing; and with such plan, the corporation may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and damages from any other injuries resulting from said acts. And if any person sustaining damage as aforesaid, and said corporation cannot 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 same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

SECT. 5. Said corporation, for the purposes aforesaid, may take and hold real and personal estate necessary and convenient therefor, not exceeding one hundred thousand dollars, and may sell or in any other way dispose of the same, with all rights and franchises under this charter.

May hold real estate.

SECT. 6. Said corporation is hereby authorized to make contracts with said town of Boothbay or any school district or village corporation therein, and with other corporations and individuals for the purpose of supplying water as aforesaid; and said town of Boothbay or any school district or village corporation therein, by its committee for that purpose duly appointed, is hereby authorized to enter into contracts with said company for the supply of water for any and all purposes mentioned in this act, and for such exemption from public burden as may be agreed upon, and such contract, when made, shall be legal and binding upon all parties thereto.

May make contract to supply water.

Town authorized to contract for water and exempt company from taxation.

SECT. 7. Any person who shall willfully injure any of the property of said corporation or knowingly corrupt the sources of its water supply, or of any of its tributaries, or in any manner defile them, or divert any of the water, whether the same be frozen or not, shall forfeit and pay to said company three times the amount of actual damages sustained, to be recovered in an action of tort; and on conviction of either of the willful acts aforesaid, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year.

Penalty for injuring property or corrupting water.

SECT. 8. The capital stock of this corporation shall be fifty thousand dollars, and shall be divided into shares of one hundred dollars each. Said capital, may, by a vote of the corporation, be increased to one hundred thousand dollars. Manufacturing and other corporations are hereby authorized to subscribe for and to hold stock of said Boothbay Water Company.

Capital stock.

SECT. 9. Said company may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the amount of its capital stock at the time of their issue, and secure the same by mortgage of the franchise and property of said company.

May issue bonds and mortgage property.

## CHAP. 131

First meeting,  
how called.

SECT. 10. The first meeting of said company may be called by a written notice thereof, signed by any three of the corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last and usual place of abode, seven days before the time of said meeting.

SECT. 11. This act shall take effect when approved.

Approved February 23, 1887.

### Chapter 131.

An Act to incorporate the Maine and New Brunswick Insurance Company.

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

Corporators.

SECT. 1. That Orville D. Baker, Daniel F. Davis, William Engel, Ansel L. Lambert, Lewis A. Barker, Frank E. Southard, Joseph A. Brown, their associates, successors and assigns, be, and they are hereby made a body corporate and politic, by the name of the Maine and New Brunswick Insurance Company, for the purpose of carrying on the business of life and accident insurance on the assessment plan; and said corporation shall have power to insure against death and accidents of all kinds, by assessments made upon its certificate holders, in such manner and in such states or countries as shall be, from time to time, ordered and provided by its directors, and to establish all by-laws and regulations necessary for carrying out the corporate purposes, and such other powers and privileges as are incident to corporations of a similar nature, and shall be subject to all the duties and liabilities of such corporations, not inconsistent herewith.

Corporate name.

Purpose.

Authorized to insure against death and accident on assessment plan.

By-laws.

May hold real estate.

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

Money shall only be used to pay claims.

SECT. 3. Money, or the securities in which it may be invested, realized from assessments made to pay death and accident claims, shall be used for paying such claims and for no other purpose.