

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:  
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1892.

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# Sixty-Fifth Legislature.

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SENATE.

No. 107.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-ONE.

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AN ACT to incorporate the Grindstone Neck Water Com-  
pany.

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

SECTION 1. Charles C. Hutchings, C. Berkeley Taylor,  
2 John B. Lenning, their associates, successors and assigns  
3 are hereby made a corporation under the name of the  
4 Grindstone Neck Water Company, for the purpose of sup-  
5 plying Grindstone Neck, the village of Winter Harbor,  
6 and the Schoodic Peninsula, all in the town of Gouldsboro',  
7 county of Hancock and State of Maine, with pure water  
8 for domestic, sanitary, private and public uses, including  
9 the extinguishment of fires.

SECT. 2. Said corporation may take and hold by purchase or otherwise, real or personal estate necessary and convenient for the purposes aforesaid, not exceeding one hundred thousand dollars.

SECT. 3. Said company is hereby authorized for the purposes aforesaid, to take, collect, store, flow, use, detain, distribute and convey to Grindstone Neck, the village of Winter Harbor and the Schoodic Peninsula, in said town of Gouldsboro', the waters of Birch Harbor pond in said Gouldsboro, or the waters of any other pond or lake in said town of Gouldsboro'; and it is also authorized to locate, construct and maintain dams, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, stand-pipes, hydrants and all other necessary structures therefor.

SECT. 4. Said corporation is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town of Gouldsboro', all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of the corporation, and to take up, replace and repair the same, under such reasonable restrictions as the selectmen of said town of Gouldsboro' may impose. Said corporation shall be responsible for all legal damages to corporations, persons and property, occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town of Gouldsboro' all sums recovered against said town for damages from obstruction or defects of said streets and ways, caused by said corporation, and for all expenses including reasonable counsel fees incurred in defending such suits with interest on the same.

SECT. 5. Said corporation shall have power to cross any  
2 water course, private or public sewer, or to change the  
3 direction thereof where necessary for the purposes of their  
4 incorporation, but in such manner as not to obstruct or  
5 impair the use thereof; and said corporation shall be  
6 liable for any injury caused thereby. Whenever said cor-  
7 poration shall lay down any of its works in any highway,  
8 way or street, or make any alterations or repairs upon its  
9 works in any highway, way or street, it shall cause the  
10 same to be done with as little obstruction to public travel  
11 as may be practicable, and shall at its own expense,  
12 without unnecessary delay, cause the earth and pavements  
13 removed by it to be replaced in proper condition.

SECT. 6. Said corporation may take and hold any lands  
2 necessary for flowage, dams, reservoirs, locks, gates,  
3 hydrants and other necessary structures, and may locate,  
4 lay and maintain, its sluices, aqueducts, pipes, hydrants  
5 and other necessary structures in, over and through any  
6 lands, and may excavate in and through such lands for  
7 such location, construction and maintenance. It may enter  
8 upon such lands to make its surveys and locations, and  
9 shall file in the registry of deeds, in said county of Han-  
10 cock, plans of such locations and lands, showing the  
11 property taken, and within thirty days thereafter, publish  
12 notice of such filing in some newspaper published in  
13 said county, such publication to be continued three weeks  
14 successively. Such land or other property shall be  
15 deemed to have been taken at the date of such filing.  
16 Said corporation, however, may make all needful explora-  
17 tions, surveys and levels on any lands prior to such filing.

SECT. 7. Said corporation shall be held liable to pay  
2 all legal damages that shall be sustained by any person,  
3 or other corporation, by the taking of any land, water or  
4 other property, or by flowage, or by excavating through  
5 any land for the purpose of laying down pipes and aque-  
6 ducts, building dams, reservoirs and other structures, and  
7 also damages for any other injuries resulting from said  
8 acts. And if any person or other corporation, sustaining  
9 damage as aforesaid, and said corporation cannot mutually  
10 agree upon the sum to be paid therefor, then such damage  
11 may be ascertained in the same manner and under the  
12 same conditions, restrictions and limitations as are by law  
13 prescribed in the case of damages by the laying out of  
14 railroads.

SECT. 8. Said corporation is hereby authorized to make  
2 contracts with the United States, with other corporations,  
3 and with the inhabitants of said town of Gouldsboro' and  
4 all other persons for the purposes of supplying water as  
5 contemplated by this act. And said town of Gouldsboro' is  
6 hereby authorized, by its selectmen, to enter into contract  
7 with said corporation for a supply of water for any pur-  
8 poses mentioned in this act, and for such exemption from  
9 public burden as said town and said corporation may  
10 agree, which when made shall be legal and binding upon  
11 both and all parties thereto.

SECT. 9. Whoever shall wilfully or maliciously corrupt  
2 the water of said pond, or any tributaries thereto, or  
3 any water used by said corporation, whether frozen or  
4 not, or in any way render such waters impure, or whoever  
5 shall wilfully or maliciously injure any of the works of  
6 said corporation, shall be punished by fine not exceeding

7 one thousand dollars or by imprisonment not exceeding  
8 two years and shall be liable to said corporation for three  
9 times the actual damage to be recovered in any proper  
10 action.

SECT. 10. The capital stock of said corporation shall  
2 be twenty-five thousand dollars, which may be increased to  
3 one hundred thousand dollars, by a vote of said corpora-  
4 tion, at any meeting of the stockholders, and said stock  
5 shall be divided into shares of one hundred dollars each.

SECT. 11. Said corporation may issue its bonds for the  
2 construction or operation of its works, of any and all  
3 kinds, upon such rates and time as it may deem expedient,  
4 not exceeding the sum of its capital stock at the time, and  
5 secure the same by a mortgage of the franchise and prop-  
6 erty of the corporation.

SECT. 12. The Gouldsboro' Land Improvement Com-  
2 pany, a corporation established and existing under the laws  
3 of the State of Maine, is hereby authorized and empowered  
4 to become a stockholder in the Grindstone Neck Water  
5 Company, with all the privileges, rights, powers and lia-  
6 bilities of a stockholder.

SECT. 13. The first meeting of said corporation may be  
2 called by a written notice thereof, signed by any one incor-  
3 porator herein named, served upon each incorporator by  
4 giving him the same in hand, or by leaving the same at his  
5 last and usual place of abode, seven days before the time  
6 of meeting.

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





STATE OF MAINE.

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IN SENATE, February 20, 1891.

Reported in the House from Committee on Judiciary and passed to be engrossed.

In the Senate, laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.