

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 43.

STATE OF MAINE.

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

AN ACT to incorporate the Hull's Cove Water
Company.

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

SECTION 1. Daniel W. Brewer, Elmore G.
2 Brewer, Orient H. Carpenter, Thomas F. Moran,
3 George P. Dutton, William M. Roberts and Elihu
4 T. Hamor, and their associates and successors,
5 are hereby incorporated into a corporation by the
6 name of the "Hull's Cove Water Company," for
7 the purpose of supplying the villages of Hull's
8 Cove and Salisbury's Cove and vicinity, in the
9 town of Eden, Hancock county, Maine, and the in-
10 habitants thereof with pure water for domestic,
11 sanitary, municipal and commercial purposes.

SECT. 2. Said company for said purpose may
2 flow, detain, collect, take, store, use and distribute
3 water from Lake Wood and Breakneck Ponds
4 (also called Little Ponds) and Intervale Brook, in
5 the said town of Eden, and construct and maintain
6 dams, cribs, reservoirs, locks, gates, sluices, aque-
7 ducts, pipes, hydrants, and all other necessary
8 structures therefor.

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

SECT. 4. Said corporation is hereby authorized
2 to lay down, in and through the streets and ways
3 in said town of Eden, and to take up and replace
4 and repair all such pipes, aqueducts, and fixtures as

5 may be necessary for the purposes of the incorpo-
6 ration. And said corporation shall be responsible
7 for all damages to persons and property occasioned
8 by the use of such streets and ways, and shall
9 further be liable to pay to said town all such sums
10 recovered against said town for damages from
11 obstruction or defects of said streets and ways,
12 caused by said corporation and for all expenses,
13 including reasonable counsel fees incurred in de-
14 fending such suits, with interest on same.

SECT. 5. Said company may take and hold any
2 lands necessary for flowage, and also for its dams,
3 reservoirs, locks, gates, hydrants and other neces-
4 sary structures and may locate, lay, maintain sluices,
5 aqueducts, pipes, hydrants and other necessary
6 structures or fixtures in, over and through any
7 lands for its said purpose, and excavate in and
8 through such lands for such location, construc-
9 tion and maintenance. It may enter upon such
10 lands to make surveys and locations, and shall
11 file in the town clerk's office of the town of Eden,
12 plans of such locations and lands, showing the
13 property taken, and within thirty days thereafter
14 publish notice of such filing and of taking in some
15 newspaper in said county, such publication to be

17 continued three weeks successively. Not more
18 than two rods in width of land shall be occupied
19 by any one line of pipes or aqueducts, and not
20 more than five acres by any one reservoir.

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

SECT. 7. Said company is hereby authorized to
2 make contracts with the United States, the State
3 of Maine, and with corporations and inhabitants
4 of said town of Eden, for the purpose of supplying
5 water, as contemplated by this act. And said
6 town of Eden is hereby authorized by its muni-
7 cipal officers to enter into contract with said com-

8 pany for a supply of water for any and all pur-
9 poses mentioned in this act, and for such exemption
10 from public burdens as said town and said com-
11 pany shall agree, which, when made, shall be legal
12 and binding upon all parties thereto.

SECT. 8. Whoever shall wilfully and maliciously
2 corrupt the water of said ponds or any of the tribu-
3 taries thereto, whether frozen or not, or in way
4 render such waters impure; whether frozen or not, or
5 whoever shall wilfully or maliciously injure any of the
6 works of said company, shall be punished by a fine
7 not exceeding one thousand dollars, or by im-
8 prisonment not exceeding two years, and shall be
9 liable to said company for three times the actual
10 damage to be recovered in any proper action.

SECT. 9. The capital stock of the company shall
2 be fifty thousand dollars which may be increased by
3 vote to two thousand dollars, and said stock shall be
4 divided into shares of twenty dollars each.

SECT. 10. Said corporation for the purposes
2 aforesaid may take and hold real and personal estate
3 necessary and convenient therefor, not exceeding
4 the amount of the capital stock, and may sell, mort-
5 gage or otherwise dispose of the same with all the
6 rights and franchises under this charter.

SECT. 11. Said company may issue its bonds for
2 the construction of the works of any and all kinds

3 upon such rates and time as it may deem expedient
4 not exceeding the amount of two hundred thousand
5 dollars, and secure the same by a mortgage of the
6 franchises and property of said company.

SECT. 12. The first meeting of said company
2 may be called by a written notice thereof signed by
3 any three incorporators herein named served upon
4 each corporator by giving him the same in hand or
5 leaving the same at his last and usual place of abode,
6 seven days before the time of meeting.

SECT. 13. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
January 25, 1889. }

Reported from Committee on Judiciary, by Mr. WISWELL of Ellsworth; ordered printed pending first reading.

NICHOLAS FESSENDEN, *Clerk.*