

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:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

Sixty-Fifth Legislature.

SENATE.

No. 114.

STATE OF MAINE.

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

An Act to incorporate the South Gouldsboro Water Company.

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

SECTION 1. H. W. Jordan, Luther M. Merrill, Horace
2 A. Jordan, James C. Hammond, their associates, succes-
3 sors and assigns are hereby made a corporation under the
4 name of the South Gouldsboro Water Company, for the
5 purpose of supplying the village of South Gouldsboro, in
6 the town of Gouldsboro, county of Hancock, and State of
7 Maine, with pure water for domestic, sanitary, private and
8 public uses including the extinguishment of fires.

SECT. 2. Said corporation may take and hold by purchase
2 or otherwise, real or personal estate necessary and con-
3 venient for the purposes aforesaid.

SECT. 3. Said corporation is hereby authorized for the
2 purposes aforesaid, to take, collect, store, flow, use,
3 detain, distribute and convey to the village of South
4 Gouldsboro, in said town of Gouldsboro, the waters of
5 Lilly pond, so called, in said town of Gouldsboro, and the
6 waters flowing into said pond and the effluence from the
7 same and all water rights connected therewith, and any
8 springs or streams, or other water sources in the vicinity
9 of said pond; and it is also authorized to locate, construct
10 and maintain dams, reservoirs, locks, gates, sluices, aque-
11 ducts, pipes, conduits, stand-pipes, hydrants and all other
12 necessary structures therefor.

SECT. 4. Said corporation is hereby authorized to lay,
2 construct, and maintain in, under, through, along and
3 across the highways, ways, streets, bridges and railroads
4 in said town of Gouldsboro, all such sluices, aqueducts,
5 pipes, hydrants and structures as may be necessary for
6 the purposes of the corporation, and to take up, replace
7 and repair the same, under such reasonable restrictions as
8 the selectmen of said town of Gouldsboro may impose.
9 Said corporation shall be responsible for all legal damages
10 to corporations, persons and property, occasioned by the
11 use of such highways, ways and streets, and shall further
12 be liable to pay to said town of Gouldsboro all
13 sums recovered against said town for damages arising
14 from obstructions or defects of said streets and ways,
15 caused by said corporation, and for all expenses, includ-
16 ing reasonable counsel fees incurred in defending such
17 suits with interest on the same.

SECT. 5. Said corporation shall have power to cross
2 any water course, private or public sewer, or to change

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

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 structures, in, over and through any lands and
6 may excavate in and through such lands for such location,
7 construction and maintenance. It may enter upon such
8 lands to make its surveys and locations, and shall file in
9 the registry of deeds, in said county of Hancock, plans
10 of such locations and lands showing the property taken,
11 and within thirty days thereafter, it shall publish notice
12 of such filing in some newspaper published in said county,
13 such publication to be continued three weeks successively.
14 Such land or other property shall be deemed to have been
15 taken at the date of such filing. Said corporation, how-
16 ever, may make all needful explorations and surveys on
17 any lands prior to such filing.

SECT. 7. Said corporation shall be held liable to pay
2 all legal damages that may be sustained by any person,

3 or other corporation, by the taking of any lands, water
4 or other property, as aforesaid, or by flowage, or by exca-
5 vating through any lands for the purposes of its incor-
6 poration, and also damages for any other injuries resulting
7 from said acts. And if any person, or other corporation
8 sustaining damage as aforesaid and said corporation can-
9 not mutually agree upon the sum to be paid therefor, then
10 such damage may be ascertained in the same manner and
11 under the same conditions, restrictions and limitations
12 as are by law prescribed in the case of damages by the
13 laying out of railways.

SECT. 8. Said corporation is hereby authorized to make
2 contracts with the United States, with other corporations,
3 and with the inhabitants of the town of Gouldsboro, or
4 any part thereof, and with any other persons, for the
5 purpose of supplying water as contemplated by this act,
6 and may supply water to steam and sailing vessels resorting
7 to said South Gouldsboro, and fix and collect rates for the
8 use of water so supplied. And said town of Gouldsboro
9 is hereby authorized, by its selectmen, to enter into con-
10 tracts with said corporation for a supply of water for any
11 purposes mention in this act, and for such exemption from
12 public burden as said town and said corporation may
13 agree, which shall be legal and binding upon all parties
14 thereto when made.

SECT. 9. Whoever shall wilfully or maliciously corrupt
2 the waters of said pond or any tributaries thereto, or
3 any water used by said corporation whether frozen or not,
4 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 a fine not exceed-

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

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

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

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

SECT. 13. This act will take effect when approved.

STATE OF MAINE.

IN SENATE, February 24, 1891.

Pending first reading, laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*