

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Ninth Legislature.

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HOUSE.

No. 203.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Sullivan Harbor Water Company.

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

Section 1. Moses Hawkins, Charles P. Simpson, Stanilaus  
2 Wilson, Emery B. Dunbar and Harvey W. Dunbar, their  
3 successors and assigns, are hereby made a corporation under  
4 the name of the Sullivan Harbor Water Company, for the  
5 purpose of supplying the town of Sullivan, in the county of  
6 Hancock, Maine, and the inhabitants of said town with pure  
7 water for domestic, sanitary, private and public uses, includ-  
8 ing the extinguishment of fires.

Sect. 2. Said corporation may take and hold by purchase  
2 or otherwise real and personal estate necessary and con-

3 venient for the purposes aforesaid, not exceeding one hun-  
4 dred thousand dollars.

Sect. 3. Said company is hereby authorized for the pur-  
2 poses aforesaid to take, collect, store, flow, use, detain, dis-  
3 tribute and convey to the town of Sullivan and any part  
4 thereof water from Long pond, in said Sullivan, and is also  
5 authorized to locate, construct and maintain dams, reservoirs,  
6 locks, gates, sluices, aqueducts, pipes, conduits, standpipes,  
7 hydrants and other necessary structures therefor.

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

Sect. 5. Said company shall have power to cross any  
2 water course, public or private sewer, or to change the direc-  
3 tion thereof where necessary for the purposes of their incor-  
4 poration, but in such manner as not to obstruct or impair the  
5 use thereof; and said company shall be liable for any injury  
6 caused thereby. Whenever said company shall lay down any  
7 fixtures in any highway, way or street, or make any altera-  
8 tions or repairs upon its works in any highway, way or street,  
9 it shall cause the same to be done with as little obstruction to

10 public travel as may be practicable, and shall at its own  
11 expense, without unnecessary delay, cause the earth and  
12 pavements then removed by it to be replaced in proper condi-  
13 tion.

Sect. 6. Said company shall have power to cross any pipes,  
2 sluices or aqueducts of the Long Pond Water Company,  
3 when necessary for the purposes of their incorporation, but  
4 in such manner as not to injure the same, or to obstruct or  
5 impair the use thereof, and for any injury caused thereby  
6 the said Sullivan Harbor Water Company shall be liable.

Sect. 7. Said company may take and hold any lands neces-  
2 sary for flowage, and also for its dams, reservoirs, locks,  
3 gates, hydrants and other necessary structures, and may  
4 locate, lay and maintain sluices, aqueducts, pipes, hydrants  
5 and other necessary structures or fixtures in, over and  
6 through any lands for its said purposes, and excavate in and  
7 through such lands for such location, construction and main-  
8 tenance. It may enter upon such lands to make surveys and  
9 locations, and shall file in the registry of deeds, in said  
10 county of Hancock, plans of such location and lands, show-  
11 ing the property taken, and within thirty days thereafter  
12 publish notice of such filing in some newspaper in said  
13 county, such publication to be continued three weeks suc-  
14 cessively. Such water, land or other property shall be  
15 deemed to have been taken at the date of such filing. Said  
16 corporation, however, may make all needful explorations,  
17 surveys and levels on any lands prior to such filing.

Sect. 8. Said corporation shall be held liable to pay all  
2 legal damages that shall be sustained by any person, by the  
3 taking of any land, or other property, or by flowage, or by  
4 excavating through any land for the purpose of laying down  
5 pipes and aqueducts, building dams, reservoirs and also  
6 damages for any other injuries resulting from said acts.

7 And if any person sustaining damage as aforesaid and said  
8 corporation cannot mutually agree upon the sum to be paid  
9 therefor, such person may cause his damages to be ascer-  
10 tained in the same manner and under the same conditions,  
11 restrictions and limitations as are by law prescribed in the  
12 case of damages by the laying out of railroads. All damages  
13 suffered by George C. Lynam or by his legal representatives,  
14 in property rights held by him in the waters of Long pond,  
15 under chapter six hundred and ten of the Private and Special  
16 Laws of eighteen hundred and fifty-six or in any other way,  
17 are understood to be included in this section and to be  
18 assessed under the same. The Long Pond Water Company  
19 shall in a similar manner be reimbursed by way of damages  
20 for such proportion of its expenditures in improving Long  
21 pond as may be determined to be equitable.

Sect. 9. Said company is hereby authorized to make con-  
2 tracts with the United States and with corporations and  
3 inhabitants of said town of Sullivan for the purposes of  
4 supplying water as contemplated by this act. And said town  
5 of Sullivan is hereby authorized by its selectmen to enter  
6 into contract with said company for a supply of water for  
7 any and all purposes mentioned in this act, and for such  
8 exemption from public burden as said town and said com-  
9 pany may agree, which when made shall be legal and bind-  
10 ing upon all parties thereto.

Sect. 10. Whoever shall wilfully or maliciously corrupt  
2 the water of said pond or streams, or any of the tributaries  
3 thereto, whether frozen or not, or in any way render such  
4 waters impure, whether frozen or not, or whoever shall wil-  
5 fully or maliciously injure any of the works of said com-  
6 pany, shall be punished by fine not exceeding one thousand  
7 dollars, or by imprisonment not exceeding two years, and  
8 shall be liable to said company for three times the actual  
9 damage, to be recovered in any proper action.

Sect. 11. The capital stock of said company shall be  
2 twenty-five thousand dollars, which may be increased to one  
3 hundred thousand dollars by a vote of said company, and  
4 said stock shall be divided into shares of one hundred dollars  
5 each.

Sect. 12. Said company may issue its bonds for the con-  
2 struction of its works of any and all kinds, upon such rates  
3 and time as it may deem expedient, not exceeding the amount  
4 of the capital stock of said corporation subscribed for, and  
5 secure the same by a mortgage of the franchise and property  
6 of said company.

Sect. 13. The first meeting of said company may be called  
2 by a written notice thereof, signed by any three corporators  
3 herein named, served upon each corporator by giving him  
4 the same in hand, or by leaving the same at his last and usual  
5 place of abode, seven days before the time of meeting.

Sect. 14. The charter hereby granted shall be null and  
2 void if the Long Pond Water Company shall on or before the  
3 first day of June, A. D. 1899, begin in good faith the follow-  
4 ing extension of its present system and shall complete the  
5 same in a proper and workmanlike manner on or before the  
6 first day of January, A. D. 1900, to wit: An eight-inch main  
7 from the point where the present main crosses the county  
8 road; thence northerly along said road, or as near the same  
9 as may be practicable, to the quarry road near Crabtree and  
10 Havey's store, and a six-inch main from said last named  
11 point up said quarry road to Frank Stanley's house.

Sect. 15. This act shall take effect when approved.







STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, February 27, 1899.

Reported by Mr. CHASE of Portland, from Committee on Legal  
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*