

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 238

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to incorporate the Hancock Water, Light and Power
Company.

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

Section 1. George H. Grant, Isadore L. Halman and John
2 S. Sanger, their associates, successors and assigns, are hereby
3 made a corporation under the name of the Hancock Water,
4 Light and Power Company.

Sect. 2. The capital stock of said corporation shall be not
3 less than twenty-five thousand dollars divided into shares of
2 less than twenty-five thousand dollars divided into shares of
4 the corporation be increased to two hundred and fifty thou-
5 sand dollars. Said corporation is authorized to hold such

6 real and personal estate as may be necessary and proper for
7 the purposes of its incorporation.

Sect. 3. The purposes of said corporation shall be to supply
2 water for public and private use, and for any and all purposes
3 in the town of Hancock in Hancock county; to generate and
4 supply light by electricity, gas or otherwise for public and
5 private use, and for any and all purposes in the towns of Han-
6 cock and Sullivan, in said county; and to generate, sell, dis-
7 tribute and supply electricity or other power for any and all
8 purposes in the aforesaid towns of Hancock and Sullivan.

Sect. 4. Said corporation is hereby authorized for the pur-
2 poses aforesaid, to erect and maintain dams, reservoirs, filters
3 and standpipes; and to lay and maintain pipes and aqueducts
4 necessary or proper for accumulating, storing, conducting,
5 discharging, distributing, disbursing, supplying and selling
6 water; said corporation may take and hold by purchase or
7 otherwise any real estate necessary therefor, and may take,
8 store and use the water of any river, stream, lake, pond, spring
9 or well in the town of Hancock, and may excavate through
10 any lands when necessary for the purposes of the corporation.

Sect. 5. Said corporation is hereby authorized for the pur-
2 poses aforesaid, to carry on the business of lighting by elec-
3 tricity, gas or otherwise, the public streets and such buildings
4 and places in the towns of Hancock and Sullivan aforesaid,
5 both public and private, as may be agreed upon by said cor-
6 poration, and the owners, or those having control of such
7 places, to be lighted; and may furnish motive power by elec-
8 tricity or otherwise within said towns, and may build, main-
9 tain and operate works, plants and manufactories for the
10 purposes of generating, providing, supplying and selling elec-
11 tricity, gas or other light and power of any kind, and may
12 take and hold by purchase or otherwise any real estate neces-
13 sary therefor, and may construct, lay, erect, maintain and
14 operate pipe lines, or lines of wire, or other material, and

15 poles and wires for the transmission of gas, electricity and
16 power, any or all of them, upon, under, along and over any
17 and all streets and ways in the towns of Hancock and Sul-
18 livan.

Sect. 6. Said corporation is hereby authorized to lay down
2 in and through the streets and ways of the said town of
3 Hancock, and to take up, replace and repair all such pipes,
4 aqueducts and fixtures as may be necessary for the purposes
5 of its incorporation under such reasonable restrictions as
6 may be imposed by the selectmen of said town, and said cor-
7 poration shall be responsible for all damage to persons and
8 property occasioned by its use of such streets and ways, and
9 shall further be liable to pay to said town all sums recovered
10 against it for damages from obstructions caused by said cor-
11 poration.

Sect. 7. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any person by the taking
3 of water, land or other property, or by flowage, or by exca-
4 vating through any land for the purposes of laying down
5 pipes and aqueducts, building dams, reservoirs and also
6 damages for any other injuries resulting from said acts; and
7 if any person sustaining damage as aforesaid, and said cor-
8 poration cannot mutually agree upon the compensation to be
9 made therefor, either party on petition to the county com-
10 missioners of Hancock county may have the damages assessed
11 by them; and any subsequent proceedings and rights of appeal
12 shall be had in the same manner, and under the same con-
13 ditions, restrictions and limitations as are by law provided
14 in case of damages by the laying out of highways.

Sect. 8. The said corporation is hereby authorized to make
2 contracts with the United Staets, the State of Maine and the
3 town of Hancock and with corporations and inhabitants of
4 said town for the purpose of supplying water, light and power
5 as contemplated by this act: and with the town of Sullivan

6 and with corporations and inhabitants of said town for the
7 purpose of supplying light and power as contemplated
8 by this act. And the said towns of Hancock and Sullivan,
9 through its selectmen, are hereby authorized to enter into
10 contracts with said corporation for the purpose of supplying
11 light and power, and, in the case of the town of Hancock,
12 water, as contemplated by this act; and also for such exemp-
13 tion from public burden as the said towns, or either of them,
14 and said corporation may agree upon, which when made shall
15 be legal and binding upon all parties thereto.

Sect. 9. Said corporation shall have power to cross any
2 public or private sewer, or to change the direction thereof
3 when necessary for the purposes of said corporation, but in
4 such a manner as not to obstruct or impair the use thereof,
5 and said corporation shall be liable for any injury caused
6 thereby. Whenever said corporation shall lay down any
7 pipes in any street, or make any alteration or repairs upon
8 its works in any street it shall cause the same to be done with
9 as little obstruction to public travel as may be practicable,
10 and shall at its own expense without unnecessary delay cause
11 the earth removed to be replaced in proper condition.

Sect. 10. When said corporation shall take any water, land
2 or other property under the powers herein granted it shall
3 cause a statement of such waters, and a description of such
4 land, or other property, with a plan thereof to be filed in the
5 registry of deeds for Hancock county, and within ten days
6 of such filing a copy of such statement or description shall
7 be published three weeks successively in some public news-
8 paper printed in Ellsworth in said Hancock county. Such
9 water, land or other property shall be deemed to have been
10 taken at the date of such filing. The corporation shall take no
11 water, land, or other property, until such filing of statement or
12 description, but may make all needful explorations and sur-
13 veys on any land or water in said towns prior to such filing.

Sect. 11. Said corporation may issue its bonds for the
2 construction of its works upon such rates and terms as it
3 may deem expedient not exceeding one hundred thousand
4 dollars, and secure the same by mortgage of the franchise
5 and property of said company.

Sect. 12. The lease for nine hundred ninety-nine years
2 from the Hancock Point Water Company, a corporation
3 created by act of the Legislature of Maine approved Feb-
4 ruary 1, 1887, to George H. Grant of all its franchises, plant,
5 real and personal property, said lease being dated May 11,
6 1901, is hereby ratified and made valid; and the said George
7 H. Grant is hereby authorized to assign and convey to the
8 corporation hereby created all and the same property and
9 property rights acquired by him under and by virtue of said
10 lease from the Hancock Point Water Company, and the said
11 corporation hereby created may thereafter have, hold
12 and exercise all the rights, titles, privileges and advantages
13 heretofore held or enjoyed by the Hancock Point Water
14 Company and leased to said Grant as fully and effectually
15 as if originally granted to and held by said corporation hereby
16 created; but expressly subject to all the terms, restrictions,
17 limitations and conditions as set forth in the aforesaid lease
18 from the Hancock Point Water Company to George H.
19 Grant.

Sect. 13. The first meeting of said corporation may be
2 called by a public notice published in the Ellsworth American
3 five days before the day of meeting, said call to be signed by
4 any one of the corporators herein named.

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



STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 3, 1903.

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

W. S. COTTON, *Clerk.*