

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 72

House of Representatives, Feb. 1, 1911.

Introduced by Mr. Miller of Hartland, who moved its reference to the Committee on Legal Affairs. By him tabled for printing pending reference to a committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT to incorporate the Hartland Water Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. J. Howard Haley, Fred S. Burrill and Edward
2 G. Varney, all of Hartland, in the county of Somerset, John
3 S. Williams and Henry A. Elliott, both of Guilford, Pis-
4 cataquis county, Charles N. Taylor of Wellesley, in the
5 state of Massachusetts, with their associates and successors,
6 are hereby made a body corporate by the name of the Hart-
7 land Water Company, for the purposes of conveying to and
8 supplying the inhabitants of Hartland, Palmyra and Saint
9 Albans, both in said county of Somerset, with water for all
10 domestic, sanitary, municipal, and commercial purposes, and

11 also for the purpose of making, generating, selling, and
12 supplying electricity for lighting, heating, power, manu-
13 facturing, and mechanical purposes, in said Hartland, Pal-
14 myra and Saint Albans, and for distributing, selling, and
15 supplying electricity for any or all of said purposes, to any
16 individual, firm, or corporation, within said towns of Hart-
17 land, Palmyra and Saint Albans, and also for sewerage said
18 towns of Hartland, Palmyra and Saint Albans, with all the
19 rights and privileges, and subject to the liabilities and obli-
20 gations incident to similar corporations.

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. For any of the purposes aforesaid, or for the
2 preservation and purity of said water, said corporation is
3 hereby authorized to take and use water from Moose pond,
4 so called, in said town of Hartland, or from any of its tribu-
5 tary waters, to conduct and distribute the same into and
6 through the said towns of Hartland, Palmyra and Saint Al-
7 bans, to survey for, locate, lay, erect, and maintain suitable
8 dams, reservoirs, machinery, pipes, aqueducts, and fixtures,
9 to carry its pipes or aqueducts over or under any water-
10 course, bridge, street, railroad, highway, or other way, and
11 also to lay and maintain pipes, conduits, and other equip-
12 ment for carrying, collecting, and disposing of sewerage,
13 sewerage matter, waste, and waters, in said towns, and to

14 set poles and extend wires thereon in and through the streets
15 and ways of said towns, as said corporation may deem ex-
16 pedient in carrying out the purposes herein set forth, and
17 to enter upon and excavate any way in such manner as least
18 to obstruct the same, to enter upon, pass over, and excavate
19 any lands, and to take and hold by purchase or otherwise
20 any real estate, rights of way, or of water, and in general
21 to do any acts necessary, convenient, or proper for carrying
22 out the purposes hereinbefore specified. And said corpo-
23 ration is further authorized for the purposes hereinbefore
24 specified, and for the making of all needed repairs or con-
25 nections, to lay its pipes, and extend its wires through or
26 over any lands, public or private, and through, across, under,
27 or along any way, public or private, with the right to enter
28 thereon and dig therein; and said corporation may establish
29 written regulations for the use of said water, electricity, or
30 sewerage services, and change the same from time to time.

Sect. 4. Said corporation shall file in the registry of deeds
2 in the county of Somerset, plans of the location of all land
3 and water rights taken under the provisions of this act; and
4 no entry shall be made upon any lands except to make sur-
5 veys until the expiration of ten days from said filing; and
6 with such plan said corporation may file a statement of the
7 damages it is willing to pay to any person for any property
8 thus taken, and if the amount finally awarded does not ex-
9 ceed that sum, the corporation shall recover costs against

10 said person, otherwise such person shall recover costs against
11 said corporation.

Sect. 5. Said corporation shall be held to pay all damages
2 that shall be sustained by any person or persons, to themselves
3 or their property, occasioned by the use of said streets or
4 highways, and shall pay to said towns, or either of them, all
5 sums of money recovered against them, or either of them,
6 from obstruction occasioned by said corporation, and for all
7 expenses including reasonable counsel fees, incurred in de-
8 fending such suits, with interest on the same, but said corpora-
9 tion may assume the defense in such suits brought to recover
10 damages as aforesaid; and also for all damages sustained
11 by any person or persons by the taking of land, water, rights
12 of way, or other property, or by excavating through any land
13 for the purposes of surveying, locating, laying, or building
14 dams, reservoirs, pipes, aqueducts, or setting poles, or ex-
15 tending wires; and from any other injuries resulting from
16 said acts; and if any person or persons sustaining damage
17 as aforesaid shall not agree with said corporation upon the
18 sum to be paid therefor, either party upon petition to the
19 county commissioners of Piscataquis county, within twelve
20 months after said plans are filed, may have said damages
21 assessed by them, and subsequent proceedings and right of
22 appeal thereon, shall be had in the same manner and under
23 the same conditions, restrictions and limitations as are by
24 law prescribed in the case of damages by the laying out of
25 highways.

Failure to apply for damages within said twelve months
27 shall be held to be a waiver of the same.

Said corporation shall have the right to begin to occupy
29 such lands or rights for its corporate purposes before the
30 rendition of final judgment.

Sect. 6. Said corporation is hereby authorized to make
2 contracts with any other corporations, individuals, the towns
3 of Hartland, Palmyra and Saint Albans, and any village
4 corporation in any or all of said towns, and with any fire
5 or water district in said towns, or with any town or towns
6 adjoining any of said towns of Hartland, Palmyra and Saint
7 Albans, for the purpose of supplying water or furnishing
8 electricity as contemplated by the purposes of this act and
9 organization.

Sect. 7. The capital stock of said corporation shall not
2 exceed one hundred thousand dollars.

Sect. 8. Said corporation is hereby authorized to issue
2 bonds not exceeding in amount one-half of its capital stock,
3 the same to be a first lien upon its franchises and property.

Sect. 9. Whenever lawfully authorized hereunder to apply
2 electricity in said towns of Hartland, Palmyra and Saint
3 Albans, the municipal officers of said towns, respectively, are
4 authorized to contract with said Hartland Water Company,
5 its successors, or assigns, for a supply of electricity for
6 municipal lighting, for a term of years, and to renew the
7 same.

Sect. 10. The first meeting of said corporation may be
2 called by written notice thereof, signed by any two corpo-
3 rators named therein, served upon each corporator by giving
4 him in hand the same, or by leaving the same at his last or
5 usual place of abode, seven days at least before the time of
6 meeting.