

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 423

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*House of Representatives, March 6, 1913.*

*Reported by Mr. Wheeler from Committee on Legal Affairs,  
and ordered printed under joint rules.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

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AN ACT to incorporate the Harrison Water Company.

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

Section 1. George E. Tarbox, Joseph Pitts, Charles B.  
2 Sylvester, Oliver N. Abbott, Albert S. Kneeland, Frank P.  
3 Bennett, Hollis H. Caswell, Charles S. Whitney, James P.  
4 Blake and Albert S. Pitts, all of Harrison, their associates,  
5 successors and assigns, are hereby made a corporation by  
6 the name of the Harrison Water Company, for the purpose  
7 of supplying the village of Harrison in the county of Cum-  
8 berland, and the inhabitants of said town with pure water,  
9 for domestic, sanitary and municipal purposes, including  
10 the extinguishment of fires, with all the rights and privi-

11 leges and subject to all the liabilities and obligations of  
12 similar corporations under the laws of this state.

Sect. 2. Said company for said purposes may retain, col-  
2 lect, take, store, use and distribute water from any springs  
3 or wells, that it may acquire by purchase of the owner there-  
4 of, ponds, streams or other water sources in said Harrison,  
5 and may locate, construct and maintain cribs, reservoirs,  
6 dams, standpipes, gates, hydrants, pipes and all other neces-  
7 sary structures to conduct and distribute the same through  
8 said town of Harrison in the usual manner.

Sect. 3. The place of business of said corporation shall  
2 be at Harrison in the county of Cumberland and state of  
3 Maine, and its business shall be confined to the town of  
4 Harrison in said county.

Sect. 4. Said corporation is hereby authorized for the  
2 purposes aforesaid, to lay, construct and maintain in, under,  
3 through, along and across the highways, ways, streets, rail-  
4 roads and bridges in said town, and to take up, replace and  
5 repair all such sluices, aqueducts, pipes, hydrants and struc-  
6 tures as may be necessary for the purposes of its incorpo-  
7 ration, so as not to unreasonably obstruct the same, under  
8 such reasonable restrictions and conditions as the selectmen  
9 of said town may impose. It shall be responsible for all  
10 damages to persons and property occasioned by the use of  
11 such highways, ways and streets, and shall further be liable  
12 to pay to said town all sums recovered against said town  
13 for damages for obstruction caused by said company, and

14 for all expense including reasonable counsel fees incurred  
15 in defending such suits with interest on the same, provided  
16 said company shall have notice of such suits and opportunity  
17 to defend the same.

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

Sect. 6. Said corporation shall be held liable to pay all  
2 damage that shall be sustained by any person by the taking  
3 of any 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;  
7 and if any person sustaining damage as aforesaid, and said  
8 corporation cannot mutually agree upon the sum to be paid  
9 therefor, either party on petition to the county commis-  
10 sioners of Cumberland county, may have the damages as-

11 sessed by them, and subsequent proceedings and rights of  
12 appeal thereon, shall be had in the same manner and under  
13 the same conditions, restrictions and limitations, as are by  
14 law provided in case of land taken for railroads.

Sect. 7. Said corporation may hold real and personal es-  
2 tate necessary and convenient for all its said purposes to  
3 the amount of twenty-five thousand dollars.

Sect. 8. Said corporation may issue its bonds for the  
2 construction of its work, upon such rates and terms as it  
3 may deem expedient, not exceeding twenty-five thousand  
4 dollars, and secure the same by mortgage of the franchise  
5 and property of said company.

Sect. 9. The capital stock of said corporation shall be  
2 twenty-five thousand dollars, said stock to be divided into  
3 shares of one hundred dollars each.

Sect. 10. The first meeting of this corporation may be  
2 called by written notice, signed by any one of the incorpo-  
3 rators and served upon each of the other incorporators, at  
4 least seven days before the day of said meeting.

Sect. 11. This act shall become null and void in four years  
2 from the time when the same takes effect, unless the cor-  
3 poration shall have organized and commenced the construc-  
4 tion of its works under this charter.

Sect. 12. Said corporation is hereby authorized to make  
2 contracts with said town of Harrison, and with other cor-  
3 porations and individuals, for the purpose of supplying

4 water, for municipal and other purposes ; and said town by  
5 its selectmen, is hereby authorized to enter into contract  
6 with said company for the supply of water, with such ex-  
7 emption from public burden as said town and said company  
8 may agree upon, which when made, shall be legal and bind-  
9 ing upon all parties thereto.

Sect. 13. Said town of Harrison at any time after the  
2 expiration of five years from the opening for use and ser-  
3 vice of a system of water works constructed by said cor-  
4 poration and after a vote in a legal town meeting to that  
5 effect has been passed, shall have the right to purchase, and  
6 by this act said corporation is required to sell to said town  
7 said system of water works including everything appertain-  
8 ing thereto, and if said town and corporation cannot agree  
9 upon the terms, upon such terms and such price as shall be  
10 determined and fixed by the chief justice of the supreme  
11 court of the state of Maine, after due hearing of the parties  
12 interested, and from the decision of the said chief justice  
13 there shall be no appeal.