

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 413

In Senate, March 19, 1915.

*Reported by Sen. Cole from Committee on Judiciary and
ordered printed under joint rules.*

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to incorporate the Harmony Water Company.

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

Section 1. John S. Williams and Henry A. Elliott, both
2 of Guilford, in the County of Piscataquis, Fred S. Burrill
3 and J. Howard Haley, both of Hartland, in the County of
4 Somerset, with their associates and successors, are hereby
5 made a body corporate by the name of the Harmony Wa-
6 ter Company, for the purposes of conveying to and supply-
7 ing the inhabitants of the town of Harmony, in said County
8 of Somerset, with water for all domestic, sanitary, munic-
9 ipal and commercial purposes, and also for sewerage said
10 town of Harmony, with all the rights and privileges, and

11 subject to the liabilities and obligations incident to similar
12 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 all the purposes aforesaid, or for the preser-
2 vation and purity of said water, said corporation is hereby
3 authorized to take and use water from Perry Pond, so
4 called, in said Harmony, or from any waters tributary to
5 Moose Pond in said Harmony and said Hartland, to conduct
6 and distribute the same into and through the said town
7 of Harmony, to survey for, locate, lay, erect and maintain
8 suitable dams, reservoirs, machinery, pipes, aqueducts and
9 fixtures, to carry its pipes or aqueducts over or under any
10 water course, bridge, street, railroad, highway, or other
11 way, and also to lay and maintain pipes, conduits and other
12 equipment for carrying, collecting and disposing of sewer-
13 age, sewerage matter, waste, and waters in said town of
14 Harmony, and to enter upon and excavate any way in such
15 manner as least to obstruct the same, to enter upon, pass
16 over, and excavate any lands, and to take and hold by pur-
17 chase or otherwise any real estate, rights of way or of water,
18 and in general to do any acts necessary, convenient, or
19 proper for carrying out the purposes hereinbefore specified.

And said corporation is further authorized for the pur-

21 poses hereinbefore stated, and for the making of all deeded
22 repairs, or connections, to lay its pipes through or over any
23 lands, public or private, and through, across, under, or along
24 any way, public or private, with the right to enter thereon
25 and dig therein; and said corporation may establish written
26 regulations for the use of said water or sewerage services,
27 and change the same from time to time.

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

Sect. 5. Said corporation shall be held to pay all damages
2 that shall be sustained by any person or persons, to them-
3 selves or their property, occasioned by the use of said streets
4 or highways, and shall pay to said towns, or either of them,
5 all sums of money recovered against them, or either of
6 them, from obstruction occasioned by said corporation, and
7 for all expenses, including reasonable counsel fees, incurred
8 defending such suits, with interest on the same, but said
9 corporation may assume the defense in such suits brought

10 to recover damages as aforesaid: and also for all damages
11 sustained by any person or persons, by the taking of land,
12 water, rights of way, or other property, or by excavating
13 through any lands for the purpose of surveying, locating,
14 laying or building dams, reservoirs, pipes, aqueducts, and
15 from any other injuries resulting from said acts: and if
16 any person or persons sustaining damages as aforesaid shall
17 not agree with said corporation upon the sum to be paid
18 therefor, either party upon petition to the County Com-
19 missioners of Somerset County, within twelve months after
20 said plans are filed, may have the said damages assessed
21 by them, and subsequent proceedings and right of appeal
22 thereon, shall be had in the same manner and under the
23 same conditions, restrictions and limitations as are by law
24 prescribed in the case of damages by the laying out of high-
25 ways.

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 said
3 town of Harmony and any village corporation in the same,
4 and with any fire or water district in said Harmony, for
5 the purpose of supplying water as contemplated by the
6 purposes of this act and 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. The first meeting of said corporation may be
2 called by written notice thereof, signed by two corporators
3 named therein, served upon each corporator by giving him
4 in hand the same, or by leaving the same at his last or usual
5 place of abode, seven days at least before the time of meet-
6 ing.

STATEMENT OF FACTS.

To accompany the bill entitled "An Act to incorporate the Harmony Water Company, special laws 1911, chapter 282." The charter of the Hartland Water Company includes the town of Harmony. The Hartland Water Company has controlled its system which furnishes the town of Hartland with water according to the terms of its charter. Its issue of water is not sufficiently large to control a separate system for said town of Harmony, and this bill is introduced by the same incorporate of the Hartland Water Company to save obtaining a special act to increase the stock of Hartland Water Company in order to control a system on said town of Harmony.