

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 651

House of Representatives, March 22, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to Incorporate The Summer Harbor Water Company.

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

Section 1. Edward J. Hammond, Edward C. Hammond,
2 W. Allen Taft, Jr., and Luere B. Deasy, their associates,
3 successors and assigns, are hereby made a corporation by
4 the name of The Summer Harbor Water Company, for the
5 purpose of supplying the inhabitants of the towns of Goulds-
6 boro and Winter Harbor, Hancock county, Maine, and said
7 municipalities with pure water for domestic, sanitary and
8 municipal purposes, for the supplying of shipping and for
9 the development of power; but only within that part of the

10 town of Winter Harbor which lies westerly and northerly
11 of a straight line beginning at the point of intersection of
12 the town lines bounding the town of Winter Harbor on the
13 north and east respectively and extending in a general south-
14 westerly direction to the south end of Deep Cove, so called,
15 on the shore of Frenchman's Bay.

Sect. 2. Said company, for said purposes, may retain,
2 collect, take, store, use and distribute the waters of Lily
3 pond, at South Gouldsboro, in the town of Gouldsboro, and
4 may locate, construct and maintain dams for the purpose
5 of raising the level of said pond, and reservoirs, aqueducts,
6 gates, pipes, hydrants and all structures necessary for the
7 distribution of water therefrom.

Sect. 3. Said corporation is hereby authorized to lay, con-
2 struct and maintain, in, under, through, along and across
3 the streets and highways of the town of Gouldsboro and
4 of that part of the town of Winter Harbor hereinbefore
5 designated, and to take up, replace and repair all sluices,
6 aqueducts, pipes, hydrants and structures that may be nec-
7 essary for the purposes of its incorporation so as to not
8 unreasonably obstruct the same, under such reasonable re-
9 strictions and conditions as the selectmen of said towns
10 may impose. Said corporation shall be responsible for all
11 damages to persons and property occasioned by the use of
12 said highways, ways and streets and shall further be liable
13 to pay to said towns all sums recovered against said towns
14 for obstruction caused by said company and for all expense,

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

Sect. 4. Said corporation may take and hold the waters
2 of said Lily Pond and streams tributary thereto and may also
3 take and hold any lands necessary for dams, reservoirs and
4 other necessary structures and may locate, lay and maintain
5 aqueducts, pipes, hydrants and other necessary structures
6 and fixtures, in, over and through any lands for its said
7 purposes and excavate in and through such lands for such
8 location, construction and maintenance. It may enter upon
9 such lands to make surveys and locations and shall file plans
10 and descriptions of all land and the description of all other
11 property taken in the office of the county commissioners, as
12 required by the general law of the state. Not more than one
13 rod of width of land shall be occupied by any one line of
14 pipe or aqueduct.

Sect. 5. In the absence of an agreement as to damages for
2 land or other property taken, damages shall be assessed in
3 the same manner as may be required at the time of such
4 taking in the case of the location of county ways and with
5 the same right of appeal. The corporation may occupy
6 lands and take other property for its purposes before dam-
7 ages are determined, but in such case, if required by the
8 person claiming such damage, a bond to secure such pay-
9 ment shall be presented to, approved by and filed with the
10 county commissioners of Hancock county. If within sixty
11 days after final determination of such damages the same are

12 not paid all rights of said corporation under its location shall
13 cease. Failure to apply for damages within one year from
14 the taking by any person damaged shall be held as a waiver
15 of the same.

Sect. 6. The capital stock of said company shall be one
2 hundred thousand dollars (\$100,000) divided into shares of
3 one hundred dollars (\$100) each.

Sect. 7. Said corporation for all its purpose may hold real
2 and personal estate necessary and convenient therefor, not
3 exceeding two hundred and fifty thousand dollars.

Sect. 8. Said corporation may issue its bonds for the con-
2 struction of its work to any amount not exceeding one hun-
3 dred and fifty thousand dollars, and secure the same by
4 mortgage or mortgages of the franchises of the company
5 and of all of its property then owned and to be acquired.
6 Provided, however, that the issuance of said stock and bonds
7 shall be subject to the approval of the Public Utilities com-
8 sion, as provided by law.

Sect. 9. The first meeting of said corporation may be
2 called by a written notice thereof signed by any incorporator
3 herein named and served upon each of the incorporators by
4 giving the same in hand or by leaving the same at his last
5 and usual place of abode, seven days before the time of
6 meeting. If all incorporators are present at such meeting of
7 organization, either personally or by written proxy, said
8 meeting and the doings thereof shall be legal notwithstand-
9 ing no notice thereof has been given.