

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE

1899.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

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and secure the same by mortgage of the franchise and property of said company.

Section 11. The first meeting of the corporation may be called by public notice, published in the Lubec Herald, three weeks, said call to be signed by at least three of the corporators.

First meeting, how called.

Section 12. This act shall become null and void in four years from the time when the same takes effect, unless the corporation shall have organized and commenced the construction of its works under this charter.

Act void in four years, if work is not commenced.

Section 13. This act shall take effect when approved.

Approved March 16, 1890.

### Chapter 143.

An Act to incorporate the Sullivan Harbor Water Company.

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

Section 1. Moses Hawkins, Charles P. Simpson, Stanilaus Wilson, Emery B. Dunbar and Harvey W. Dunbar, their successors and assigns, are hereby made a corporation under the name of the Sullivan Harbor Water Company, for the purpose of supplying the town of Sullivan, in the county of Hancock, Maine, and the inhabitants of said town with pure water for domestic, sanitary, private and public uses, including the extinguishment of fires.

Corporators.

—corporate name.

—purpose.

Section 2. Said corporation may take and hold by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid, not exceeding one hundred thousand dollars.

May hold estate to amount of \$100,000.

Section 3. Said company is hereby authorized for the purposes aforesaid to take, collect, store, flow, use, detain, distribute and convey to the town of Sullivan and any part thereof water from Long pond, in said Sullivan, and is also authorized to locate, construct and maintain dams, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, standpipes, hydrants and other necessary structures therefor.

May take water in Sullivan.

—construct dams, etc.

Section 4. Said company is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and con-

May lay pipes along highways, etc., under restrictions imposed by selectmen.

## CHAP. 143

—responsible for all damages.

ditions as the selectmen of said town may impose. And said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages from obstructions caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

May cross any water course or sewer.

Section 5. Said company shall have power to cross any water course, public or private sewer, or to change the direction thereof where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements then removed by it to be replaced in proper condition.

—shall not obstruct public travel.

May cross pipes, etc., of Long Pond Water Company.

Section 6. Said company shall have power to cross any pipes, sluices or aqueducts of the Long Pond Water Company, when necessary for the purposes of their incorporation, but in such manner as not to injure the same, or to obstruct or impair the use thereof, and for any injury caused thereby the said Sullivan Harbor Water Company shall be liable.

May take lands for flowage.

Section 7. Said company may take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants and other necessary structures, and may locate, lay and maintain sluices, aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds, in said county of Hancock, plans of such location and lands, showing the property taken, and within thirty days thereafter publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Such water, land or other property shall be deemed to have been taken at the date of such filing. Said corporation, however, may make all needful explorations, surveys and levels on any lands prior to such filing.

—locate sluices, etc.

—shall file plan of location with registry of deeds.

Liable for all damages.

Section 8. Said corporation shall be held liable to pay all legal damages that shall be sustained by any person, by the taking of any land, or other property, or by flowage, or by

excavating through any land for the purpose of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts. And if any person sustaining damage as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads. All damages suffered by George C. Lynam or by his legal representatives, in property rights held by him in the waters of Long pond, under chapter six hundred and ten of the private and special laws of eighteen hundred and fifty-six or in any other way, are understood to be included in this section and to be assessed under the same. The Long Pond Water Company shall in a similar manner be reimbursed by way of damages for such proportion of its expenditures in improving Long pond as may be determined to be equitable.

—how ascertained in case of disagreement.

—damages of George C. Lynam.

—damages of Long Pond Water Company.

Section 9. Said company is hereby authorized to make contracts with the United States and with corporations and inhabitants of said town of Sullivan for the purposes of supplying water, as contemplated by this act. And said town of Sullivan is hereby authorized by its selectmen to enter into contract with said company for a supply of water for any and all purposes mentioned in this act, and for such exemption from public burden as said town and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

May make contract to furnish water.

—town may contract for water and exempt from taxation.

Section 10. Whoever shall willfully or maliciously corrupt the water of said pond or streams, or any of the tributaries thereto, whether frozen or not, or in any way render such waters impure, whether frozen or not, or whoever shall willfully or maliciously injure any of the works of said company, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage, to be recovered in any proper action.

Penalty for corrupting water or injuring works.

Section 11. The capital stock of said company shall be twenty-five thousand dollars, which may be increased to one hundred thousand dollars by a vote of said company, and said stock shall be divided into shares of one hundred dollars each.

Capital stock.

Section 12. Said company may issue its bonds for the construction of its works of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the amount of the capital stock of said corporation subscribed for, and secure the same by a mortgage of the franchise and property of said company.

May issue bonds and mortgage property.

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First meet-  
ing, how  
called.

Section 13. The first meeting of said company may be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, seven days before the time of meeting.

Charter void,  
if Long  
Pond Water  
Company  
shall com-  
plete ex-  
tension.

Section 14. The charter hereby granted shall be null and void if the Long Pond Water Company shall complete the following extension in a proper and workmanlike manner on or before the first day of January, in the year of our Lord nineteen hundred, namely: An eight-inch main from the point where the present main crosses the county road; thence northerly along said road, or as near the same as may be practicable, to the quarry road near Crabtree and to Havey's store, and a six-inch main from said last named point up said quarry road to Frank Stanley's house.

Section 15. This act shall take effect when approved.

Approved March 15, 1899.

### Chapter 144.

An Act to authorize the Franklin and Somerset Land and Lumber Company to hold the stock and bonds of South Branch Improvement Company.

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

Company au-  
thorized to  
hold shares  
of South  
Branch Im-  
provement  
Company.

Section 1. The Franklin and Somerset Land and Lumber Company, a corporation organized under the laws of the state of Maine, and having its principal office at Farmington in said state, is hereby authorized and empowered to acquire, hold and dispose of shares of the capital stock and mortgage bonds of the South Branch Improvement Company, a corporation organized under the laws of the state of Maine.

Section 2. This act shall take effect when approved.

Approved March 15, 1899.