

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE

1895.

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1895.

Chapter 295.

An Act to incorporate the Yarmouth Water Company.

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

SECT. 1. Lorenzo L. Shaw, Alfred T. Small, John H. Humphrey and George W. Hammond of Yarmouth, with their associates and successors, are hereby made a corporation by the name of the Yarmouth Water Company, for the purpose of supplying the inhabitants of Yarmouth with suitable water for domestic, sanitary and municipal purposes, including extinguishment of fire, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations, under the general laws of this state.

Corporators.

Corporate name.

SECT. 2. For any of the purposes aforesaid, or for the preservation and purity of said water, said corporation is hereby authorized to take and use water from the Royal river, or from any spring, pond, brook or other water in the towns of Yarmouth and New Gloucester, or from any brook or pond in the town of North Yarmouth ; to conduct and distribute the same into and through the said town of Yarmouth ; to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures ; to carry its pipes or aqueducts under, in and over the Royal river, so called, or under or over any water course, bridge, street, railroad, highway or other way ; and said corporation is further authorized to enter upon and excavate any highway or other way, in such manner as least to obstruct the same, and shall leave such ways in as safe and passable condition as before such excavation ; to enter, pass over and excavate any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water, and in general to do any acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized, for the purpose of making all needed repairs or extension or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same or dig therein, and said corporation may make written regulations for the use of said water, and change the same from time to time.

May take water, etc.

—may maintain dams, etc.

—may enter public or private lands, etc.

CHAP. 295

May hold real
or personal
estate.

Shall be held
liable to pay
all damages.

—damages,
how ascer-
tained.

Capital stock.

May make
contracts with
towns or cor-
porations.

May issue
bonds.

SECT. 3. Said corporation may take and hold by lease or purchase, real or personal estate necessary and convenient for the purposes aforesaid, not exceeding fifty thousand dollars.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person or corporation by the taking of any land, water or other property, or by excavating through any land for the purpose of laying down pipes and aqueducts or building any reservoir, stand pipe, or other structures herein authorized to be built, and also damages for any injury resulting from said acts, and if any person sustaining damages as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, such damages may be ascertained in the same manner and under the same conditions and restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

SECT. 5. The capital stock of said corporation shall not exceed fifty thousand dollars, and shall be divided into shares of fifty dollars each, and any manufacturing corporation doing business in said Yarmouth, is hereby authorized to subscribe for and to hold stock in said Yarmouth Water Company. Said corporation is hereby authorized to contract with any corporation in said town to furnish power and other conveniences to carry out the purpose of this corporation.

SECT. 6. Said corporation is hereby authorized to make contracts with the United States and with the county of Cumberland and town of Yarmouth and with other corporations and persons for the purpose of supplying water as contemplated by this act, and said town of Yarmouth by its selectmen is hereby authorized to sign and execute any contract that may be entered into by the inhabitants of said town at any meeting legally called for that purpose, for a term of years with said company for a supply of water for fire and other municipal purposes, to said town.

SECT. 7. Said corporation may issue its bonds to an amount not exceeding fifty thousand dollars for the construction of its works, at such rates, and for such times as it may deem expedient and secure the same by mortgage upon its franchise and property, but the bonds issued shall not at any time exceed in amount the capital stock of the company, issued at that time.

SECT. 8. In case any person injured by the taking of any land or other property for any of the purposes named herein and said corporation are unable to agree upon the amount of damages to be paid for said injury, said company may make a tender to any such person of any sum for such damages, and if such person recovers more damages than were tendered to him by said company, he shall recover costs, otherwise said company shall recover costs against said person. Failure, however, to apply for damages as aforesaid within one year from the time said damages are sustained shall be held to be a waiver of the same.

May make tender for damages.

SECT. 9. The first meeting of said company may be called by a written notice thereof signed by any other incorporator, served upon each incorporator by giving in hand or leaving the same at his last and usual place of abode seven days before the time of the meeting, and said first meeting shall be called and held in said town of Yarmouth.

First meeting, how called.

SECT. 10. The town of Yarmouth may obtain, by purchase or otherwise, and hold the stock and bonds of this corporation, or may enter into negotiations with the Yarmouth Water Company for the purchase of its charter, and when obtained may succeed to all the rights, privileges and franchises herein granted, which may be exercised in such manner as may be determined by the inhabitants of said town.

Town of Yarmouth may purchase, and succeed to all rights.

SECT. 11. This act shall take effect when approved.