

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 193.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to incorporate the Standish Water and Construc-
tion Company.

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

SECTION 1. Tobias Lord, Edward Harding, H. R. Mil-
2 lett, Stephen Hinckly, George F. West, Will F. Perkins,
3 E. C. Hersey and E. B. Cummings, with their associates
4 and successors, are hereby created a corporation by the
5 name of "the Standish Water and Construction Company,"
6 for the purpose of supplying the towns of Standish and
7 Gorham and such other towns in the county of Cumber-
8 land as it shall hereafter contract for or with, under the
9 provisions of this act, with pure water for domestic, fire

10 and sanitary purposes and for the purpose of building and
11 acquiring waterworks in said county of Cumberland.

SECT. 2. Said corporation may take and hold by pur-
2 chase, lease or otherwise, such an amount of real and per-
3 sonal estate as may be necessary and convenient for its
4 purposes.

SECT. 3. Said corporation is hereby authorized for the
2 purposes aforesaid, to take and use the waters of Saco
3 river and Sebago lake, in said county, or to obtain a sup-
4 ply of said waters by contract or lease with any other
5 water company now supplying water to any towns in said
6 county, subject, nevertheless, to existing contracts, liabil-
7 ities, limitations and restrictions on such company, and
8 may also erect and maintain pumps, machinery and other
9 fixtures necessary for the purposes aforesaid; provided,
10 however, that said corporation shall not take water from
11 Sebago lake or any of the tributaries thereof, for use in
12 any town not bordering on said lake or its tributaries,
13 nor shall it obtain, by purchase, contract, lease or other-
14 wise, water drawn from said lake or its tributaries, except
15 for use in such towns as the company or companies from
16 which such water may be obtained, now have the right to
17 supply with said water, and then only to be used for the
18 purpose aforesaid.

SECT. 4. Said corporation is hereby authorized to carry
2 its pipes under or over any bridge, street, railroad, high-
3 way or other way, and to enter upon and excavate any
4 highway or other way, when necessary therefor, in such
5 manner as least to obstruct the same, and shall replace
6 said street or highway and make the same as good as
7 before, and said corporation shall in all respects repair

8 and make good any damage occasioned by the laying of
9 said pipes and the opening of said street, and shall be
10 liable to pay to said town all sums recovered against them
11 or either of them, for damages from obstruction caused
12 by said corporation and reasonable counsel fees expended
13 by said towns in defending such suits. Said corporation
14 may pass over and excavate any land, and take and hold,
15 by purchase or otherwise, any real estate, rights of way,
16 or of water necessary for the purposes of the company,
17 and, in general, do any act necessary for carrying out the
18 purposes herein specified. But no rights in or to the
19 waters of Presumpscot river, or any of its tributaries or
20 sources, shall be so, or otherwise acquired. Nor shall¹
21 rights to the water of Sebago lake or its tributaries be so
22 or otherwise acquired save for the purposes for which
23 permission is hereinbefore given to said corporation to
24 use the waters of said lake and tributaries.

SECT. 5. Said corporation shall be held liable to pay
2 all damages sustained by any person or corporation in
3 property by the taking of any land, right of way, water
4 sources, water, water right or easement under authority of
5 this act, and if any person or corporation sustaining damages
6 as aforesaid cannot agree with this corporation upon the
7 sum to be paid therefor, such damages shall be ascertained
8 in the manner now provided by law in the case of damage
9 by the laying out of railroads.

SECT. 6. The capital stock of said corporation shall be
2 one hundred thousand dollars, and may be increased as
3 required for the purposes of said corporation to an amount
4 not exceeding one million dollars, and shall be divided into
5 shares of one hundred dollars each, and shall be issued

6 from time to time as required for the purposes of said
7 corporation.

SECT. 7. Said corporation is hereby authorized and
2 empowered, subject to the limitations and restrictions
3 aforesaid, to purchase, lease, acquire and hold the pipes,
4 property, fixtures, stock and franchises of any company
5 now supplying any town or village corporation within the
6 county of Cumberland with pure water for domestic, fire
7 and sanitary purposes, and may take the assignment and
8 conveyance of any contract heretofore or hereafter made
9 for the purpose of supplying any town, individual or cor-
10 poration with water for any of said purposes, and may
11 take the place of any party to said contract and perform
12 in the name and behalf of said party all the duties imposed
13 by said contract, and may receive all benefits which may
14 accrue therefrom, *provided* that nothing in this act shall
15 authorize said company to supply water to the city of
16 Portland. Said corporation is further authorized to issue
17 its bonds for the construction of its works and for the
18 purposes of its incorporation upon such rates and time as
19 it may deem expedient and in such amount as may be
20 required for the objects of its incorporation, and to apply
21 said bonds and its capital stock for the construction of its
22 works and in payment of the purchase or lease of any
23 property, fixtures, stock or contracts which it may require
24 under the provisions of this act.

SECT. 8. Said corporation may enter into all necessary
2 contracts with any municipal or other corporation, and with
3 individuals, for the purpose of supplying water as contem-
4 plated by this act, for the use of the streets of any town
5 or village, for the purpose of supplying the same with

6 water for municipal and other purposes, and for such exemp-
7 tion from public burdens as said corporation and any town
8 or village corporation may agree ; which agreements, when
9 made, shall be legal and binding upon all parties hereto.

SECT. 9. The first meeting of said corporation may be
2 called by written notice thereof, stating the time and place of
3 said meeting, signed by two of said corporators, and served
4 upon each corporator by giving him the same in hand, or
5 by leaving the same at his last and usual place of abode
6 seven days at least before the call of said meeting.

SECT. 10. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 4, 1891. }

Tabled, pending first reading, by Mr. CHADBOURNE of Biddeford,
and ordered printed.

W. S. COTTON, *Clerk.*