

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Sixth Legislature.

HOUSE.

No. 325.

STATE OF MAINE.

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

AN ACT to incorporate the Gorham Water Company.

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

SECTION 1. Frank H. Emery, Frederick Robie, Henry
2 R. Millett, Joseph Ridlon, George H. Griffin, Joseph
3 F. Shackford, Roscoe G. Harding, Milton Shaw, Edward
4 W. Guptill, Isaac W. Dyer, their associates, successors
5 and assigns, are hereby made a corporation by the name
6 of the Gorham Water Company for the purpose of con-
7 veying to and supplying the inhabitants of Gorham with
8 water for all domestic, sanitary and municipal purposes,
9 with all the rights and privileges, and subject to all the

10 liabilities and obligations of similar corporations under
11 the general laws of the State of Maine.

SECT. 2. Said corporation is hereby authorized, for the
2 purposes aforesaid, to take, hold and convey to said town
3 of Gorham and through any part thereof or any adjoining
4 town water from the Little river in said town of Gor-
5 ham or from any other supply which may be selected
6 within said town of Gorham or adjoining town except
7 from Sebago lake or the Presumpscot river; to survey,
8 locate, lay, erect and maintain suitable dams, reservoirs
9 and machinery, pipes, aqueducts, hydrants and fixtures;
10 to carry its pipes or aqueducts under or over any water-
11 course, creek, river, bridge, street, railroad, highway or
12 other way, but in such manner however as not to obstruct
13 the same, and for that purpose to enter upon and excavate
14 any street, road or way in such a manner as not to un-
15 necessarily obstruct the same, and to take up, replace and
16 repair all such pipes, aqueducts and fixtures as may be
17 necessary for said purposes, and to enter upon, pass over,
18 excavate and flow any lands, and to take and hold by pur-
19 chase or otherwise, any real estate, rights of way or water.
20 And said corporation is further authorized for the pur-
21 pose of making all necessary repairs, surveys or connec-
22 tions to lay its pipes through any private or public lands
23 or ways, with the right to enter upon the same and dig
24 therein, and said corporation may establish written reg-
25 ulations for the use of said water. Said corporation shall
26 be responsible for all damages to persons and property

27 occasioned by such use of said streets and ways, and shall
28 be further liable to pay to said town all sums recovered
29 against said town for damages by reason of any defect in
30 any highway, way or street therein occasioned by any
31 fault or neglect of said company, together with reasona-
32 ble costs incurred in defending such suits, provided, said
33 company shall have notice of any suit wherein such dam-
34 ages are claimed, and shall be allowed to defend the same
35 to its own expense.

SECT. 3. Said corporation shall file in the registry of
2 deeds in the county of Cumberland, plans and descrip-
3 tion of the location of all lands and water rights taken
4 under the provisions of this act, and no entry shall be
5 made upon any land, except to make surveys, until the
6 expiration of twenty days {from such filing, and with
7 a such plan the corporation may file a statement of the
8 damages it is willing to pay to any person for any prop-
9 erty so taken, and if the amonnt finally awarded does
10 exceed that sum the company shall recover costs against
11 said person, otherwise such person shall recover such
12 costs against said company.

SECT. 4. Said corporation shall be held liable to pay
2 all damages that shall be sustained by any person by the
3 taking of any land or other property, or by flowage, or
4 by excavating through any land for the purpose of laying
5 down pipes and aqueducts, building dams and reservoirs
6 and also damages for any other injuries resulting from
7 said acts; and if any person sustaining damages as afore-

8 said, and said corporation cannot mutually agree upon
9 the sum to be paid therefor, such person may cause his
10 damages to be ascertained in the same manner and under
11 the same conditions, restrictions and limitations as are
12 by law prescribed in the case of damages by the laying
13 out of railroads.

SECT. 5. The capital stock of said corporation shall
2 be fixed at a sum not exceeding one hundred thousand
3 dollars and shall be divided into shares of one hundred
4 dollars each. And said corporation for the purposes of
5 this charter, may hold real or personal estate necessary
6 or convenient therefor and not exceeding one hundred
7 thousand dollars.

SECT. 6. Said corporation is hereby authorized to make
2 contracts with said town of Gorham and with other towns
3 and corporations, associations and individuals for the
4 purpose of supplying them with water as contemplated
5 by this act ; and said town of Gorman, by its selectmen or
6 by its duly authorized agents, is hereby authorized to
7 enter into contracts with said company for the supply of
8 water and from such exemption from public burden as
9 said town and said town and said company may agree
10 upon, which when made shall be legal and binding upon
11 all parties thereto. Manufacturing and other corpora-
12 tions are hereby authorized to subscribe and hold stock
13 of said Gorham Water Company.

SECT. 7. Said corporation may issue its bonds for the
2 construction of its works upon such rates and times as

3 it may deem expedient, not exceeding one hundred thou-
4 sand dollars, and secure the same by mortgage of the
5 franchises and property of said company.

SECT. 8. The first meeting of said corporation shall be
2 called by written notice thereof signed by any two cor-
3 porators herein named, served upon each corporator by
4 giving him, the same in hand or by leaving same at his
5 usual place of abode seven days before the time of said
6 meeting.

SECT. 9. This act shall become null and void in two
2 years from the approval hereof, unless said corporation
3 shall have organized and commenced actual business under
4 this charter.

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 10, 1893. }

Reported by Mr. BIRD of Portland, from Committee on Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*