

# MAINE STATE LEGISLATURE

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# Sixty-Eighth Legislature.

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SENATE.

No. 132.

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## STATE OF MAINE.

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

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AN ACT to incorporate the York Sewer Company.

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

Section 1. Josiah Chase, Russell D. Woodman, Will R.  
2 Howard, John L. Chase and Hiram M. Perkins, with their  
3 associates and successors are hereby made a corporation  
4 by the name of the York Sewer Company, for the purpose  
5 of constructing and maintaining systems of sewers in the  
6 town of York or any parts thereof.

Sect. 2. Said corporation is hereby authorized, for the  
2 purposes aforesaid, to lay down and maintain all such pipes  
3 or other structures as may be necessary for the proper  
4 conducting, discharging and disposing of sewerage, and to

5 excavate through any lands in said town when necessary  
6 for the purposes of this corporation.

Sect. 3. Said corporation is authorized to lay, construct  
2 and maintain, in, through, under and along the highways,  
3 streets, railroads, bridges and watercourses in said town all  
4 such pipes and other structures as may be necessary for  
5 the purposes of this corporation and to take up, replace and  
6 repair the same when necessary.

Provided, that when any work is done within the limits of  
8 any highway or public street, it shall be done under such  
9 restriction and regulations as the selectmen of the town  
10 may impose.

And provided further, that in case of any crossing of a  
12 railroad, unless said corporation shall agree with the com-  
13 pany owning and operating such railroad, as to place, man-  
14 ner and conditions of the crossings, the railroad commis-  
15 sioners shall determine the place, manner and conditions  
16 of such crossings, and all work within the limits of such  
17 railroad location shall be done under the supervision and  
18 to the satisfaction of the officers of such railroad company,  
19 but at the expense of this corporation.

Sect. 4. Said corporation is authorized to lay, extend and  
2 maintain its pipes into, under and over tidal waters, and  
3 to build and maintain all necessary structures therefor, all  
4 to be done at such places and in such manner as may be  
5 necessary for the purposes of this corporation, and not to  
6 obstruct navigation.

Sect. 5. Said corporation shall have power to cross any  
2 public or private sewer, or to change the direction of the  
3 same, but in such manner as not to obstruct or impair the  
4 use thereof.

Sect. 6. Said corporation is hereby authorized to make  
2 contracts with the inhabitants of said town and individuals  
3 therein, and with other corporations, for the purpose of  
4 supplying said inhabitants and individuals, and other cor-  
5 porations with facilities of sewerage as contemplated by  
6 this act; and said town by its selectmen are hereby author-  
7 ized to contract with said company for sewerage facilities  
8 for municipal or other purposes as said town and said com-  
9 pany may agree, which shall be legal and binding on all  
10 parties thereto.

Sect. 7. Said corporation shall be liable to pay to said  
2 town all sums recovered against it for damages from  
3 obstruction or defects of said street and highways, caused  
4 by said corporation, and for all expenses, including reason-  
5 able counsel fees, incurred in defending such suits. And  
6 also shall be liable to pay all damages sustained by any  
7 person by reason of excavating or laying down pipe. And  
8 if any person sustaining damages as aforesaid, and said  
9 corporation shall not mutually agree upon the sum to be  
10 paid therefor, such person or said corporation may cause  
11 the damage to be ascertained in the manner prescribed  
12 by law in case of damage by laying out highways.

Sect. 8. The town of York, by its selectmen duly author-  
2 ized by vote of said town, may purchase from this corpora-

3 tion all of its system or systems of sewers within the limits  
4 of said town; and in case of such purchase, if said town and  
5 this corporation shall not mutually agree as to terms and  
6 conditions of such purchase it shall be referred to two  
7 justices of the supreme judicial court and their determina-  
8 tion of the matter shall be final.

Sect. 9. The capital stock of this corporation shall not  
2 exceed fifty thousand dollars, and shall be divided into  
3 shares of one hundred dollars each.

Sect. 10. Said corporation is authorized to hold real and  
2 personal property to the amount of one hundred thousand  
3 dollars.

Sect. 11. Said corporation may issue its bonds for the  
2 construction and maintenance of its works, upon such  
3 rates and for such time as it may deem expedient, not  
4 exceeding in amount its capital stock subscribed for, and  
5 secure the same by mortgage of the franchise and property  
6 of the company.

Sect. 12. The first meeting of this corporation may be  
2 called by written notice therefor, stating the time and place  
3 of said meeting, signed by any two of the corporators herein  
4 named, and served on each corporator by giving him the  
5 same in hand, or by mailing the same to him, directed to  
6 his last known place of residence, at least thirty days before  
7 the time of said meeting.

Sect. 13. This act shall take effect when approved.



STATE OF MAINE.

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IN SENATE, March 4, 1897.

Reported by Mr. REYNOLDS of Cumberland, from Committee on  
Legal Affairs, and laid on table to be printed under joint rules.

**KENDALL M. DUNBAR**, *Secretary*.