

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

HOUSE.

No. 240

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend the charter of the Sanford Light and Water
Company and to consolidate with the Springvale Aqueduct
Company and Butler Spring Water Company.

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

Section 1. The organization of the Sanford Light and
2 Water Company under the general laws of the State, as
3 recorded in the book of corporations in the office of the Sec-
4 retary of State, in Vol. 10, Page 521, is hereby confirmed and
5 made valid, and said company is hereby declared to be a cor-
6 poration for the purposes therein specified, and all the acts
7 and doings of said company since the filing of the certificate
8 thereof in the Secretary of State's office, are made valid as

9 acts of such corporation, the same as if incorporated by a
10 special act, with all the rights and privileges and subject to
11 all the duties, obligations and liabilities of such corporations.

Sect. 2. Said corporation is hereby authorized to acquire
2 by lease, purchase of stock or otherwise, the franchises and
3 all other assets of the Springvale Aqueduct Company and of
4 the Butler Spring Water Company respectively, and to oper-
5 ate said companies, when acquired, with all the rights, fran-
6 chises and privileges attached respectively thereto as a part
7 of its water system; and to raise funds for the above purpose,
8 or for any extension of its system, said Sanford Light and
9 Water Company is further authorized to issue shares of its
10 capital stock or bonds secured by a mortgage, or either, to
11 such amount as may be found expedient; and the Springvale
12 Aqueduct Company and the Butler Spring Water Company
13 are hereby respectively authorized to lease or sell their prop-
14 erty and franchises to the Sanford Light and Water Com-
15 pany.

Sect. 3. Said corporation may take and hold, by purchase
2 or otherwise, real and personal estate necessary and con-
3 venient for the purposes aforesaid, not exceeding one hun-
4 dred thousand dollars in amount.

Sect. 4. For the purposes aforesaid, or for the preservation
2 and purity of said water, said corporation is hereby author-
3 ized to take and use water from Square pond and from
4 Mousam or Long pond in the towns of Acton and Shapleigh,
5 and conduct and distribute the same in and through the towns
6 of Acton, Shapleigh and Sanford; to survey for, locate, lay,
7 erect and maintain suitable dams, reservoirs and machinery,
8 pipes, aqueducts and fixtures, but shall not lay, erect and
9 maintain dams on any water power privileges, known to be
10 such, or occupy any adjoining lands that do not belong to
11 such corporation; to carry its pipes or aqueducts under or
12 over any water course, bridge, street, railroad, highway or

13 other way; to enter upon and excavate any highway or other
14 way, in such manner as least to obstruct the same; to enter,
15 pass over and excavate any lands; and to take and hold by
16 purchase or otherwise, any real estate, rights of way or of
17 water, and in general do any acts necessary, convenient or
18 proper for carrying out any of the purposes of its incorpo-
19 ration. And said corporation is further authorized, for the
20 purpose of making all needed repairs or service connections,
21 to lay its pipes through any public or private lands or ways,
22 with the right to enter upon the same and dig therein; but
23 no entry shall be made on any private lands or ways, except
24 to make surveys, until said corporation shall file in the regis-
25 try of deeds in the county of York, plans of the location of
26 all lands and water rights which it may wish to take under
27 the provisions of this act, nor until the expiration of ten
28 days from such filing; and with such plan, the corporation
29 may file a statement of the damages it is willing to pay to any
30 person for any property so taken, and if the amount awarded
31 finally, does not exceed that sum, the company shall recover
32 costs against such person, otherwise such person shall recover
33 costs against the company.

Sect. 5. Said corporation shall be held liable to pay all
2 damages that shall be sustained by any persons by the taking
3 of any land, water, right of way or other property, or by
4 excavating through any land for the purpose of surveying,
5 locating, laying or building dams, reservoirs, pipes, aque-
6 ducts and other necessary fixtures, and for any other injuries
7 resulting from said acts; and if any person sustaining dam-
8 ages as aforesaid, shall not agree with said corporation upon
9 the sum to be paid therefor, either party, upon petition to
10 the county commissioners of York county, within twelve
11 months after said plans are filed, may have said damages
12 assessed by them, and subsequent proceedings and right of
13 appeal thereon, shall be had in the same manner, and under

14 the same conditions, restrictions, and limitations as are by law
15 law prescribed in the case of damages by the laying out of
16 highways. Failure to apply for damages within said twelve
17 months shall be held to be a waiver of the same.

Sect. 6. Said corporation is hereby authorized to lay down
2 and maintain in and through the streets and ways of said
3 town of Sanford and adjoining towns, all such pipes, aque-
4 ducts and fixtures as may be necessary for the purposes here-
5 inbefore mentioned. Said company shall have power to
6 cross any water course, private or public sewer, or to change
7 the direction thereof where necessary for the purposes of its
8 incorporation, but in such manner as not to obstruct or impair
9 the use thereof.

Sect. 7. Said company may establish and fix, from time to
2 time, rates for the use of water and collect the same. Said
3 town of Sanford is hereby authorized to enter into a contract
4 with said company for a supply of water for all municipal
5 purposes, which, when made, shall be legal and binding upon
6 all parties thereto.

Sect. 8. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES.

AUGUSTA, March 4, 1903.

Reported by Mr. ALLEN of Sanford, from Committee on the
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk*