

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 510

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## STATE OF MAINE.

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

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AN ACT to incorporate the Naples Water Company.

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

Section 1. Llewellyn Barton, Charles L. Goodridge, John  
2 H. Card of Portland, Clarence L. Barker of Boston and  
3 Harry H. Cannell of Naples, their associates, successors and  
4 assigns, are hereby made a corporation by the name of the  
5 Naples Water Company, for the purpose of supplying the  
6 village of Naples in the county of Cumberland, and the inhab-  
7 itants of said town, with pure water, for domestic, sanitary  
8 and municipal purposes, including the extinguishment of fires,  
9 with all the rights and privileges and subject to all the liabili-  
10 ties and obligations of similar corporations under the laws of  
11 of this State.

Sect. 2. Said company for said purposes, may retain, collect, take, store, use and distribute water from any springs or wells, that it may acquire by purchase of the owner thereof, ponds, streams, or other water sources in said Naples, and may locate, construct and maintain cribs, reservoirs, dams, standpipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through said town of Naples in the usual manner.

Sect. 3. The place of business of said corporation shall be at Naples in the county of Cumberland and State of Maine, and its business shall be confined to the town of Naples in said county.

Sect. 4. Said corporation is hereby authorized for the purposes aforesaid, to lay, construct and maintain in, under, through, along and across the highways, ways, streets, roads and bridges in said towns, and to take up, replace and repair all such sluices, aqueducts, pipes hydrants and structures as may be necessary for the purposes of its incorporation, so as not to unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said town may impose. It shall be responsible for all damage to persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages for obstruction caused by said company, and for all expenses including reasonable counsel fees incurred in defending such suits with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

Sect. 5. Said company shall have power to cross any water course, private and public sewer, or to change the direction thereof, when necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and it shall be liable for any injury caused thereby. Whenever said company shall lay down any fixture in any

7 highway, way or street, or make any alterations or repairs,  
8 upon its works in any highway, way or street, it shall cause  
9 the same to be done with as little obstruction to public travel  
10 as may be practicable, and shall, at its own expense, without  
11 unnecessary delay, cause the earth and pavements there  
12 removed by it, to be replaced in proper condition.

Sect. 6. Said corporation shall be held liable to pay all  
2 damages that shall be sustained by any person by the taking  
3 of any land or other property, or by flowage, or by excavating  
4 through any land for the purposes of laying down pipes and  
5 aqueducts, building dams, reservoirs, and also damages for  
6 any other injuries resulting from said acts; and if any person  
7 sustaining damage as aforesaid, and said corporation cannot  
8 mutually agree upon the sum to be paid therefor, either party  
9 on petition to the county commissioners of Cumberland  
10 county, may have the damages assessed by them; and subse-  
11 quent proceedings and rights of appeal thereon, shall be had  
12 in the same manner and under the same conditions, restric-  
13 tions and limitations, as are by law provided in case of land  
14 taken for railroads.

Sect. 7. Said corporation may hold real and personal estate  
2 necessary and convenient for all its said purposes to the  
3 amount of twenty-five thousand dollars.

Sect. 8. Said corporation may issue its bonds for the con-  
2 struction of its work, upon such rates and terms as it may  
3 deem expedient, not exceeding twenty-five thousand dollars,  
4 and secure the same by mortgage of the franchise and prop-  
5 erty of said company.

Sect. 9. The capital stock of said corporation shall be  
2 twenty-five thousand dollars, said stock to be divided into  
3 shares of ten dollars each.

Sect. 10. The first meeting of this corporation, may be  
2 called by written notice, signed by any one of the incorpo-

3 rators and served upon each of the other incorporators, at  
4 least seven days before the day of said meeting.

Sect. 11. This act shall become null and void in four years  
2 from the time when the same takes effect, unless the corpora-  
3 tion shall have organized and commenced the construction of  
4 its works under this charter.

Sect. 12. Said corporation is hereby authorized to make  
2 contracts with said town of Naples, and with other corpora-  
3 tions and individuals, for the purpose of supplying water, for  
4 municipal and other purposes; and said town by its selectmen,  
5 is hereby authorized to enter into contract with said company  
6 for the supply of water, with such exemption from public  
7 burden as said town and said company may agree upon,  
8 which, when made, shall be legal and binding upon all parties  
9 thereto.

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

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## STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES.

AUGUSTA, March 20, 1903.

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

W. S. COTTON, *Clerk.*