

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-THIRD LEGISLATURE

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HOUSE.

No. 54

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## STATE OF MAINE.

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

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AN ACT to incorporate the Shore Acres Water Company.

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

Section 1. Lewellyn M. Leighton, Edward C. Reynolds  
2 and Charles B. Dalton, their associates, successors and  
3 assigns, are hereby constituted a body corporate and politic  
4 by the name of the Shore Acres Water Company for the pur-  
5 pose of supplying with pure water, a portion of the town of  
6 Cape Elizabeth, lying on the Easterly side of the Cottage  
7 Road, between said Cottage Road and the sea, and included  
8 between these boundaries:

Northerly. The Northerly side line of the Fowler road  
10 continued from the point where it intercepts the Westerly

11 side line of said Cottage Road, in the same direction, to the  
12 sea.

Southerly. A line drawn from the Northerly side line of  
14 the Spurwink road, at a point where it intercepts the West-  
15 erly side line of Cottage road, directly to the center of Hunt  
16 point, South of Broad Cove.

Sect. 2. Said corporation for said purpose is hereby  
2 authorized to hold real and personal estate, necessary and  
3 convenient therefor, to the amount of ten thousand dollars.

Sect. 3. Said corporation is hereby authorized to erect  
2 and maintain reservoirs, and lay down and maintain all pipes  
3 and aqueducts necessary for the proper accumulation, con-  
4 duct, discharge, distribution and disposition of water and  
5 forming proper reservoirs thereof: and said corporation may  
6 take and hold, by purchase or otherwise, any lands or real  
7 estate necessary therefor, and may make excavations through  
8 any lands whatever when necessary for the purpose of this  
9 corporation.

Sect. 4. Said corporation shall be held liable to pay all  
2 damages that may be occasioned to any person by the taking  
3 of any land or other property, or by the flowage, or by  
4 excavation through any land for the purpose of laying down  
5 pipes and aqueducts, building reservoirs, and also damages  
6 for any other injuries resulting from said acts; and if any  
7 person sustaining damages as aforesaid and said corporation  
8 cannot agree upon the sum to be paid therefor, such person  
9 may cause his damages to be ascertained in the same manner  
10 and under the same limitations, conditions and restrictions as  
11 are by law prescribed in the case of damages by the laying  
12 out of railroads.

Sect. 5. The capital stock of said corporation shall be five  
2 thousand dollars, which may be increased to ten thousand  
3 dollars by a vote of said corporation, and be divided into  
4 shares of one hundred dollars each, and said corporation may  
5 issue bonds to raise money for the construction of said  
6 works and their extension and repair, to an amount not  
7 exceeding five thousand dollars, to be secured by mortgage  
8 upon its real estate, works and franchise.

Sect. 6. Said corporation is hereby authorized to lay  
2 down in and through the streets and ways of that portion of  
3 the town of Cape Elizabeth, described in section one hereof,  
4 and take up, replace and repair all pipes, aqueducts and fix-  
5 tures as may be necessary for the purposes of their incorpora-  
6 tion, under such reasonable restrictions as may be imposed  
7 by the municipal officers of said town. Said corporation  
8 shall be responsible for all damages to persons and property  
9 occasioned by the use of such streets and ways and shall also  
10 be liable to said town for damages from obstructions caused  
11 by said corporation and for all expenses.

Sect. 7. Said corporation is hereby authorized to make  
2 contracts with any or all corporations or individuals, resident  
3 within the tract described in section one hereof, for the pur-  
4 poses of supplying said corporations with water for fire and  
5 other purposes, or any other corporation or individuals with  
6 water for any other purposes whatsoever.

Sect. 8. Said corporation in making any changes, additions  
2 or improvements upon its works in any streets of said Cape  
3 Elizabeth shall cause the same to be done with as little  
4 obstruction to public travel as may be practicable, and shall at

5 its own expense, without unnecessary delay, cause the earth  
6 and pavements removed by it to be replaced in proper condi-  
7 tion.

Sect. 9. Any person who shall willfully injure any of the  
2 property of said corporation or who shall knowingly corrupt  
3 the wells out of which said water company's water is  
4 obtained, in any manner whatever, or render them impure  
5 whether the same be frozen or not, or who shall willfully  
6 destroy any reservoir or aqueduct, pipes, hydrant or other  
7 property held or owned by said corporation for the purposes  
8 of this act, shall be punished by a fine not exceeding one  
9 thousand dollars, or by imprisonment less than one year, and  
10 shall be liable to said corporation for three times the actual  
11 damage, to be recovered in any proper action.

Sect. 10. The first meeting of said corporation may be  
2 called by a written notice thereof, signed by one corporator  
3 herein named, served upon each corporator by giving him the  
4 same in hand, or by leaving the same at his last and usual  
5 place of abode, seven days before the time of meeting.

Sect. 11. This act shall take effect when approved.

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STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, January 25, 1907.

Reported by Mr. DYER from Committee on Legal Affairs, and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*