

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 565

STATE OF MAINE.

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

AN ACT to incorporate the Harrison Water Company.

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

Section 1. George E. Tarbox, Charles B. Sylvester,
2 Charles S. Whitney, Joseph Pitts of Harrison, and Charles
3 L. Goodridge of Portland, their associates, successors and
4 assigns, are hereby made a corporation by the name of the
5 Harrison Water Company, for the purpose of supplying the
6 village of Harrison in the county of Cumberland, and the
7 inhabitants of said town with pure water, for domestic, sani-
8 tary and municipal purposes, including the extinguishment
9 of fires, with all the rights and privileges and subject to all
10 the liabilities and obligations of similar corporations under
11 the laws 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 Harrison, 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 Harrison in the usual manner.

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

16 said company shall have notice of such suits and opportunity
17 to defend the same.

Sect. 5. Said company shall have power to cross any
2 water course, private and public sewer, or to change the
3 direction thereof, when necessary for the purposes of its
4 incorporation, but in such manner as not to obstruct or
5 impair the use thereof, and it shall be liable for any injury
6 caused thereby. Whenever said company shall lay down any
7 fixtures in any highway, way or street, or make any altera-
8 tions or repairs, upon its works in any highway, way or
9 street, it shall cause the same to be done with as little obstruc-
10 tion to public travel as may be practicable, and shall, at its
11 own expense, without unnecessary delay, cause the earth and
12 pavements there removed by it, to be replaced in proper con-
13 dition.

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 excava-
4 ting through any land for the purposes of laying down pipes
5 and aqueducts, building dams, reservoirs, and also damages
6 for any other injuries resulting from said acts; and if any
7 person sustaining damage as aforesaid, and said corporation
8 cannot mutually agree upon the sum to be paid therefor,
9 either party on petition to the county commissioners of Cum-
10 berland county, may have the damages assessed by them;
11 and subsequent proceedings and rights of appeal thereon,
12 shall be had in the same manner and under the same condi-

13 tions, restrictions and limitations, as are by law provided in
14 case of land 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
2 construction 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 incorpora-
3 tors 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
4 of its works under this charter.

Sect. 12. Said corporation is hereby authorized to make
2 contracts with said town of Harrison, and with other cor-
3 porations and individuals, for the purpose of supplying
4 water, for municipal and other purposes; and said town by
5 its selectmen, is hereby authorized to enter into contract with
6 said company for the supply of water, with such exemption

7 from public burden as said town and said company may
8 agree upon, which, when made, shall be legal and binding
9 upon all parties thereto.

Sect. 13. Said town of Harrison at any time after the
2 expiration of five years from the opening for use and service
3 of a system of water works constructed by said corporation
4 and after a vote in a legal town meeting to that effect has
5 been passed, shall have the right to purchase, and by this
6 act said corporation is required to sell to said town said
7 system of water works including everything appertaining
8 thereto, and if said town and corporation cannot agree upon
9 the terms, upon such terms and such price as shall be deter-
10 mined and fixed by the chief justice of the supreme court
11 of the State of Maine, after due hearing of the parties inter-
12 ested, and from the decision of said chief justice there shall
13 be no appeal.

Sect. 14. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 14, 1907.

Reported by Mr. DAVIES from Committee on Judiciary, and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*