

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 182

STATE OF MAINE.

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

AN ACT to incorporate the North Yarmouth Water Company.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Frederic E. Gore, George A. Leighton, and
2 Albert H. Coombs, all of Yarmouth, their associates, suc-
3 cessors and assigns, are hereby made a corporation by the
4 name of the North Yarmouth Water Company for the pur-
5 pose of supplying the villages of North Yarmouth and
6 Cumberland in the County of Cumberland, and the inhab-
7 itants thereof with pure water, for domestic, sanitary and
8 municipal purposes, including the extinguishment of fires,
9 with all the rights and privileges, and subject to all the lia-
10 bilities and obligations of similar corporations under the
11 laws of this State.

Sect. 2. Said company for said purposes may retain, col-
2 lect, take, store, use and distribute water from any springs

3 or wells, that it may acquire by purchase of the owner there-
4 of, and also from ponds, streams, or other sources in said
5 villages of North Yarmouth and Cumberland, and may lo-
6 cate, construct and maintain cribs, reservoirs, dams, stand-
7 pipes, gates, hydrants, pipes and all other necessary struc-
8 tures to conduct and distribute the same through the said
9 villages of North Yarmouth and Cumberland in the usual
10 manner.

Sect. 3. The place of business of said corporation shall be
2 at Yarmouth in the County of Cumberland and State of
3 Maine, and its business shall be confined to the villages of
4 North Yarmouth and Cumberland in said County.

Sect. 4. Said corporation is hereby authorized for the
2 purposes aforesaid, to lay, construct and maintain in, under,
3 through, along and across the highways, ways, streets, rail-
4 roads and bridges in said villages, and to take up, replace
5 and repair all such sluices, aqueducts, pipes, hydrants, and
6 structures as may be necessary for the purposes of its incor-
7 poration, so as not to unreasonably obstruct the same, under
8 such reasonable restrictions and conditions as the selectmen
9 of said town may impose.

Sect. 5. Said company shall have power to cross any wa-
2 ter course, private and public sewer, or to change the direc-
3 tion thereof, when necessary for the purposes of its incorpo-
4 ration, but in such manner as not to obstruct or impair the
5 use thereof. Whenever said company shall lay down any
6 fixtures in any highway, way or street, or make any altera-
7 tions or repairs, upon its works in any highway, way or

8 street, it shall cause the same to be done with as little ob-
9 struction to public travel as may be practicable, and shall,
10 at its own expense, without unnecessary delay, cause the
11 earth there removed by it, to be replaced in proper condi-
12 tion.

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 property, or by flowage, or by excavating
4 through any land for the purpose 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 per-
7 son 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 proceeding 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 es-
2 tate necessary and convenient for all its said purposes.

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, and secure the same by mortgage of the
4 franchise and property of said company.

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

Sect. 10. The first meeting of this corporation may be called by written notice, signed by any one of the incorporators, at least seven days before the day of said meeting.

Sect. 11. This act shall become null and void in four years from the time when the same takes effect, unless the corporation shall have organized and commenced the construction of its works under this charter, so far as the town of North Yarmouth is concerned herewith, and eight years so far as the town of Cumberland is affected.

Sect. 12. Said corporation is hereby authorized to make contracts with said villages of North Yarmouth and Cumberland, and with other corporations and individuals, for the purpose of supplying water for municipal and other purposes; and said towns by their selectmen are hereby authorized to enter into contract with said company for the supply of water, with such exemption from public burden as said town and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

STATE OF MAINE.

IN SENATE,

February 15, 1909.

Reported by Mr. LOONEY from Committee on Judiciary and laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.