

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 691

*House of Representatives, March 20, 1911.*

*Reported by Mr. Williamson from committee on Judiciary,  
and ordered printed under joint rules.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT to amend Chapter 125 of the Private and Special Laws  
of 1895, entitled "An Act to Incorporate the York Shore  
Water Company."

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

Section 1. Chapter 125 of the Private and Special Laws  
of 1895 is hereby amended so as to read as follows:

'Section 1. Josiah Chase, Lindley M. Webb, Will R. How-  
ard, Wilson L. Hawkes, Hartley W. Mason, Jeremiah P.  
Simpson, John E. Norwood, John H. Varrell and John L.  
Chase, with their associates and successors, are hereby made  
a corporation by the name of the York Shore Water Com-  
pany, for the purpose of supplying the towns of York and

9 Wells, or any part thereof, and the residents therein, with  
10 pure water for domestic, manufacturing and municipal pur-  
11 poses, including the extinguishment of fires and the supply  
12 of shipping.

Sect. 2. Said corporation may hold real and personal es-  
2 tate, necessary and convenient for the purposes aforesaid,  
3 not exceeding in amount four hundred thousand dollars.

Sect. 3. Said corporation is hereby authorized for the pur-  
2 poses aforesaid, to take, hold, protect and use the water of  
3 Chase's pond in said town of York, and all other ponds and  
4 streams tributary thereto or running therefrom; and is also  
5 authorized to erect and maintain dams and reservoirs, and  
6 lay down and maintain pipes and aqueducts necessary for  
7 the proper accumulating, conducting, distributing, discharg-  
8 ing and disposing of water; and said corporation may take  
9 and hold, by purchase or otherwise, any lands or other real  
10 estate necessary for any of the purposes aforesaid, and for  
11 the protection of its water mains and pipes and the watershed  
12 of said Chase's pond, and may excavate through any lands  
13 when necessary for the purposes of this incorporation. Pro-  
14 vided, however, that before taking water from said pond, or  
15 erecting any structure or laying any pipes at the outlet of  
16 said pond for that purpose, said corporation shall obtain the  
17 consent therefor in writing of the person or persons who  
18 control the waters thereof. Said company is hereby author-  
19 ized to make such rules, regulations and restrictions relating

20 to boating, fishing and hunting on said pond or on the water-  
21 shed thereof as said company may deem necessary.

Sect. 4. Said corporation shall be liable to pay all damages  
2 that shall be sustained by any persons by the taking of any  
3 lands or other property, or by flowage or excavatings, or by  
4 building dams and reservoirs or laying down pipes and hy-  
5 drants ; and if any person sustaining damage as aforesaid and  
6 said corporation cannot mutually agree upon the sum to be  
7 paid therefor, such person or said corporation may cause the  
8 damage to be ascertained in the manner prescribed by law  
9 in case of damage by laying out highways.

Sect. 5. Said corporation is hereby authorized to lay, con-  
2 struct and maintain, in, through, under and along the high-  
3 ways, streets, railroads, bridges and water courses in said  
4 towns, all such aqueducts, pipes, hydrants and structures as  
5 may be necessary for the purposes of this incorporation, and  
6 to take up, replace and repair the same when necessary ; and  
7 when any work is done within the limits of any street or  
8 highway it shall be done under such restrictions and regu-  
9 lations as the selectmen of said towns may impose. Provid-  
10 ed, that in case of any crossing of a railroad, unless said cor-  
11 poration shall agree with the company owning and operating  
12 such railroad, as to place, manner and conditions of the  
13 crossing, the railroad commissioners shall determine the  
14 place, manner and conditions of such crossing ; and all work  
15 within the limits of such railroad location shall be done under  
16 the supervision and to the satisfaction of the officers of such

17 railroad company, but at the expense of this corporation.  
18 Said corporation shall be liable to pay to said towns all sums  
19 recovered against them, for damages from obstruction or de-  
20 fects of said streets and highways caused by said corporation,  
21 and for all expenses, including reasonable counsel fees, in-  
22 curred in defending such suits, with interest on the same.

Sect. 6. Said corporation is hereby authorized to lay, con-  
2 struct and maintain its pipes under, in and over tidal waters,  
3 and to build and maintain all necessary structures therefor,  
4 all to be done at such places as may be necessary for the pur-  
5 poses of said corporation, and not to obstruct navigation.

Sect. 7. Said corporation is hereby authorized to make  
2 contracts, with the inhabitants of said towns, and individuals  
3 therein, and with other corporations, for the purposes of sup-  
4 plying water as contemplated by this act; and said towns by  
5 their selectmen are hereby authorized to contract with said  
6 company for a supply of water for municipal or other pur-  
7 poses as said towns and said company may agree, which shall  
8 be legal and binding upon all parties thereto.

Sect. 8. Said corporation shall have the power to cross  
2 any public or private sewer, or to change the direction there-  
3 of when necessary for the purposes of this incorporation, but  
4 in such manner as not to obstruct or impair the use thereof;  
5 and said corporation shall be liable for any injury caused  
6 thereby.

Sect. 9. Any person who shall leave the carcass of any  
2 dead animal or other offensive matter within the limits of

3 the watershed of said Chase's pond, shall be punished by a  
4 fine not exceeding one thousand dollars or by imprisonment  
5 not more than one year and shall be liable to said corporation  
6 for three times the actual damage, to be recovered in any  
7 proper action.

Sect. 10. The capital stock of said corporation shall not  
2 exceed one hundred thousand dollars, and shall be divided  
3 into shares of one hundred dollars each.

Sect. 11. Said corporation may issue its bonds for the con-  
2 struction and maintenance of its works upon such rates and  
3 for such time as it may deem expedient, not exceeding its  
4 capital stock, and secure the same by mortgage of the fran-  
5 chise and property of said company.

Sect. 12. The first meeting of said corporation may be  
2 called by written notice thereof, signed by any two corpora-  
3 tors herein named, served on each corporator by giving him  
4 the same in hand, or by sending the same by mail to his last  
5 known place of residence at least thirty days before the time  
6 of meeting.'