

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth
Legislature

1909

Chapter 56.

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 Albert H. Coombs, all of Yarmouth, their associates, successors and assigns, are hereby made a corporation by the name of the North Yarmouth Water Company for the purpose of supplying the villages of North Yarmouth and Cumberland in the county of Cumberland, and the inhabitants thereof with pure water, for domestic, sanitary and municipal purposes, including the extinguishment of fires, with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations under the laws of this state.

Corporators.

—corporate name.

—purposes.

Section 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, and also from ponds, streams, or other sources in said villages of North Yarmouth and Cumberland, and may locate, construct and maintain cribs, reservoirs, dams, stand-pipes, gates, hydrants, pipes and all other necessary structures to conduct and distribute the same through the said villages of North Yarmouth and Cumberland in the usual manner.

May take and store water.

—may maintain reservoirs, dams, etc.

Section 3. The place of business of said corporation shall be at Yarmouth in the county of Cumberland and state of Maine, and its business shall be confined to the villages of North Yarmouth and Cumberland in said county.

Place of business.

Section 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, railroads and bridges in said villages, 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.

May lay pipes under, along and across highways, streets, railroads, etc.
—take up and repair.

Section 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. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations or repairs, upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel

May cross any water course, or sewer.

—shall not obstruct travel.

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as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth there removed by it, to be replaced in proper condition.

Responsible
for all dam-
ages.

Section 6. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams, reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damages as aforesaid, and said corporation cannot mutually agree upon the sum to be paid therefor, either party on petition to the county commissioners of Cumberland county, may have the damages assessed by them; and subsequent proceeding and rights of appeal thereon, shall be had in the same manner and under the same conditions, restrictions and limitations as are by law provided in case of land taken for railroads.

—damages,
how as-
sessed, in
case of dis-
agreement.

May hold
necessary
property.

Section 7. Said corporation may hold real and personal estate necessary and convenient for all its said purposes.

May issue
bonds.

Section 8. Said corporation may issue its bonds for the construction of its work, upon such rates and terms as it may deem expedient, and secure the same by mortgage of the franchise and property of said company.

Capital
stock.

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

First meet-
ing, how
called.

Section 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.

When act
becomes
null and
void.

Section 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.

May con-
tract to
supply
water.

Section 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.