

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# Sixty-Sixth Legislature.

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HOUSE.

No. 318.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND NINETY-THREE.

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AN ACT to amend the Charter of the Lisbon Falls Water  
Company, and to change its name to the Lisbon Water  
Company.

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

SECTION 1. Chapter one hundred and fifty-four of the  
2 Private and Special Laws of eighteen hundred and ninety-  
3 one entitled "An act to incorporate the Lisbon Falls  
4 Water Company" is hereby amended so that it shall read  
5 as follows:

'Section 1. Edward Plummer, Samuel Sylvester, F. C.  
7 Whitehouse, O. S. White, George A. Pettengill, George  
8 W. Curtis, J. H. Brewster, William Parkin, J. H.  
9 Coombs, John Merriman, D. Fessenden, Harris Ginns-

10 burg, H. E. Plummer, W. E. Plummer, W. H. Newell,  
11 with their associates, successors and assigns, are hereby  
12 made a corporation by the name of the Lisbon Water  
13 Company for the purpose of conveying to and supplying  
14 the village of Lisbon Falls, in Lisbon, or any other  
15 village or villages in Lisbon, in the county of Androscog-  
16 gin and State of Maine, with pure water for domestic,  
17 sanitary and municipal purposes, including the extin-  
18 guishment of fires ; with all the rights, privileges, immuni-  
19 ties, duties and obligations incident to similar corpora-  
20 tions.'

SECT. 2. Said corporations for said purposes may hold  
2 real and personal estate necessary and convenient therefor,  
3 to an amount not exceeding fifty thousand dollars.

SECT. 3. Said corporation is hereby authorized for the  
2 purposes aforesaid, to take, collect, store, flow, use,  
3 detain, distribute and convey to the town of Lisbon  
4 aforesaid, or any village or villages therein, water from  
5 any stream, lake, pond, or springs situated in the towns  
6 of Bowdoin, Webster, Lisbon, Durham, or from Sabattus  
7 pond, in the State of Maine, and it is also authorized to  
8 locate, construct and maintain dams, reservoirs, locks,  
9 gates, sluices, aqueducts, pipes, conduits, stand pipes,  
10 hydrants and all the necessary structures therefor ; and  
11 said corporation may take as for public purposes, by  
12 purchase, or in any other lawful way, and hold any lands  
13 or real estate necessary therefor, and may excavate  
14 through any lands when necessary for the purposes of  
15 this corporation. It may enter upon such lands to make  
16 surveys and locations and shall file in the registry of  
17 deeds for the County of Androscoggin plans and a des-

18 cription of such locations and lands taken or in which an  
19 easement is taken under the provisions of this act, and a  
20 statement of the purposes for which lands and easements  
21 are taken and such plans and descriptions shall be  
22 recorded by the register; and such lands or easements  
23 shall be deemed to be taken on the filing of such certifi-  
24 cate, but such corporation shall not enter on such lands  
25 until the expiration of twenty days from such filing.

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

SECT. 5. Application shall be made by the land owner  
2 to the commissioners of the County of Androscoggin, at  
3 any time within a period of three years from the taking  
4 of such land or other property, or the doing of other  
5 injury under the authority of this act; but if no applica-  
6 tion is made within three years as aforesaid, the party  
7 claiming to have suffered damage shall be deemed to have  
8 waived his claim therefor. The said corporation may  
9 make a tender to any land owner damaged under the  
10 provisions of this act, and if such land owner recovers  
11 more damages than were tendered him by the said cor-

12 poration, he shall recover costs, otherwise the said corpor-  
13 ation shall recover costs.

SECT. 6. The capital stock of said corporation shall be  
2 fifty thousand dollars, which may be increased to seventy-  
3 five thousand dollars by vote of said corporation at a legal  
4 meeting, and said stock shall be divided into shares of one  
5 hundred dollars each.

SECT. 7. Said corporation is hereby authorized to lay  
2 down, in and through the streets and ways of said town  
3 of Lisbon and any village or villages therein, and to take  
4 up, replace and repair all such pipes, aqueducts and  
5 fixtures as may be necessary for the purposes of its  
6 incorporation under such reasonable restrictions as may  
7 be imposed by the selectmen of said town of Lisbon.  
8 Said corporation shall be responsible for all damages to  
9 persons and property occasioned by the use of such streets  
10 and ways, and shall be liable to pay to said town all sums  
11 recovered against said town for damages from obstruc-  
12 tions caused by said corporation, including reasonable  
13 legal expenses thereby incurred.

SECT. 8. Said corporation is hereby authorized to make  
2 contracts with said town of Lisbon, or any village cor-  
3 poration now existing or hereafter created in said town of  
4 Lisbon and with other corporations and persons for the  
5 purpose of supplying water as contemplated under this  
6 act; and said town of Lisbon and any such village cor-  
7 poration by their proper officers are hereby authorized to  
8 enter into contracts with this corporation for the supply  
9 of water for public purposes; and for such exemption  
10 from public burden as said town and this corporation may  
11 mutually agree upon, which when made shall be legal and  
12 binding upon all parties thereto.

SECT. 9. Said corporation shall have power to cross  
2 any water course, railways or private ways, private or  
3 public sewer, or change the direction of such sewers  
4 when necessary for the purposes of its incorporation, but  
5 in such manner as not to obstruct or impair the use  
6 thereof; and said corporation shall be liable for any  
7 injury caused thereby. Whenever the said corporation  
8 shall lay down any pipe in any street, it shall cause the  
9 same to be done with as little obstruction to public travel  
10 as may be practicable, and shall at its own expense cause  
11 the earth and pavements removed by it to be replaced in  
12 proper condition.

SECT. 10. Said corporation may issue its bonds for the  
2 construction of its works upon such rates and times as it  
3 may deem expedient, not exceeding in the aggregate  
4 seventy-five thousand dollars, and may secure the same by  
5 mortgage of the franchises and the property of said  
6 corporation.

SECT. 11. The first meeting of said corporation may  
2 be called by written notice thereof, signed by any three of  
3 the corporators, by mailing the same to each corporator at  
4 his usual place of abode, postage prepaid at least ten days  
5 before the time of said meeting.

SECT. 12. This act shall become null and void in two  
2 years from the day of the approval hereof, unless said  
3 corporation shall have organized and commenced actual  
4 business under this charter.

SECT. 13. This act shall take effect when approved.







STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 10, 1893. }

Reported by Mr. BIRD of Portland, from Committee on Judiciary,  
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*