

# MAINE STATE LEGISLATURE

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# Sixty-Sixth Legislature.

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SENATE.

No. 95.

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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 incorporate the Small Point Water Company.

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

SECTION 1. M. B. Spinney of Phippsburg, J. E. Bod-  
2 well of Hallowell, John O. Potter of Bath, J. H. Manley  
3 of Augusta and William G. Reed of Boston, Mass, their  
4 associates and successors, are hereby made a corporation  
5 by the name of the Small Point Water Company, for the  
6 purpose of conveying to and of supplying the inhabitants  
7 of Small Point in the town of Phippsburg, with water for  
8 all domestic, sanitary, municipal and commercial pur-  
9 poses; with all the rights and privileges, and subject to  
10 all the liabilities and obligations of similar corporations  
11 under the general laws of this State.

SECT. 2. Said corporation may take and hold, by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid, not exceeding fifty thousand dollars.

SECT. 3. For any of the purposes aforesaid, or for the preservation of the purity of said water, said corporation is hereby authorized to take and use water from Wyman's pond, in said Phippsburg, to conduct aforesaid, to survey for, locate, lay, erect and maintain suitable dams, reservoirs, machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under or over any water course, bridge, street, railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway or other way, in such manner as least to obstruct the same, to enter, pass over and excavate any lands, and to take and hold, by purchase or otherwise, any real estate, rights of way or of water, and in general do any acts necessary, convenient or proper for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private land or ways, with the right to enter upon the same and dig therein, and said corporation may establish written regulations for the use of the water aforesaid, and change the same from time to time.

SECT. 4. Said corporation shall file in the registry of deeds, in the County of Sagadahoc, plans of the location

3 of all land and water rights taken under the provisions of  
4 this act ; and no entry shall be made on any lands except  
5 to make surveys, until the expiration of ten days from  
6 said filing ; and with such plan the said corporation may  
7 file a statement of the damages it is willing to pay to any  
8 person for the property so taken, and if the amount  
9 finally awarded does not exceed that sum, said corpora-  
10 tion shall recover costs against said person, otherwise such  
11 person shall recover costs against said corporation.

SECT. 5. Said corporation shall be held liable to pay all  
2 damages that shall be sustained by any persons, to them-  
3 selves or their property, occasioned by the use of such  
4 streets and ways, and shall pay to said town all sums  
5 recovered against said town for damages from obstructions  
6 caused by said corporation, and for all expenses including  
7 reasonable counsel fees incurred in defending said suits  
8 with interest on the same, but said corporation may  
9 assume the defense of all suits brought to recover damages  
10 as aforesaid ; and also for all damages sustained by any  
11 persons by the taking of any lands, water, right of way,  
12 or other property, or by excavating through any land for  
13 the purpose of surveying, locating, laying or building  
14 dams, reservoirs, pipes, aqueducts, and for any other  
15 injuries resulting from said acts, and if any person sus-  
16 taining damage as aforesaid, shall not agree with said  
17 corporation upon the sum to be paid therefor, either party  
18 on petition to the county commissioners of Sagadahoc  
19 county, within twelve months after said plans are filed,

20 may have said damage assessed by them and subsequent  
21 proceedings, and right of appeal thereon, shall be had in the  
22 same manner and under the same conditions, restrictions  
23 and limitations, as are by law prescribed in the case of  
24 damages by the laying out of highways. Failure to apply  
25 for damages within twelve months shall be held to be a  
26 waiver of the same.

SECT. 6. Said corporation is hereby authorized to lay  
2 down and maintain in and through the streets and high-  
3 ways of the town aforesaid all such pipes, aqueducts and  
4 fixtures, as may be necessary for the purposes hereinbefore  
5 specified. Said Phippsburg is hereby authorized to con-  
6 tract with said corporation for a supply of said water, for  
7 fire or for other purposes, for a term of years, and at the  
8 expiration of such contract to change or renew the same.

SECT. 7. The capital stock of said corporation shall  
2 not exceed one hundred thousand dollars.

SECT. 8. The first meeting of said corporation may be  
2 called by written notice thereof, signed by any two of the  
3 corporators herein named, served upon each corporator by  
4 giving him the same in hand, or by leaving the same at his  
5 last and usual place of abode, seven days at least before  
6 such meeting.

SECT. 9. Said corporation is hereby authorized to issue  
2 bonds not exceeding in amount one-half of its capital stock,  
3 the same to be the first lien upon its franchise and pro-  
4 perty.

SECT. 10. This act shall take effect when approved.









STATE OF MAINE.

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IN SENATE, February 25, 1893.

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

KENDALL M. DUNBAR, *Secretary.*