

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1893.

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1893.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1893.

Chapter 638.

An Act to incorporate the Fort Popham Water Company.

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

Corporators. **SECT. 1.** John H. Stacy of Phippsburg, Peleg O. Vickery of Augusta, Galen C. Moses, David T. Percy, Albert H. Shaw, Fritz H. Twitchell of Bath, their associates and successors are hereby made a corporation by the name of the Fort Popham Water Company, for the purpose of conveying to and of supplying the inhabitants of Fort Popham and vicinity in the town of Phippsburg, with water for all domestic, sanitary and municipal purposes with all the rights and privileges and subject to all the liabilities and obligations of similar corporations under the general laws of the state.

—corporate name

—purpose.

May hold real and personal estate.

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.

May take water.

—erect dams, lay pipes over any highway.

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 any 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 lauds, 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.

—lay pipes through private lands.

Shall file plan of location with register of deeds.

SECT. 4. Said corporation shall file in the registry of deeds, in the county of Sagadahoc, plans of the location of all land and water rights taken under the provisions of this

act; and no entry shall be made on any lands except to make surveys, until the expiration of ten days from said filing; and with such plan the said corporation may file a statement of the damages it is willing to pay to any person for the property so taken, and if the amount finally awarded does not exceed that sum, said corporation shall recover costs against said person, otherwise such person shall recover costs against said corporation.

SECT. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, to themselves or their property, occasioned by the use of such streets and ways, and shall pay to said town all sums recovered against said town for damages from obstructions caused by said corporation, and for all expenses including reasonable counsel fees incurred in defending said suits with interest on the same, but said corporation may assume the defense of all suits brought to recover damages as aforesaid; and also for all damages sustained by any persons by the taking of any lands, water, right of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building dams, reservoirs, pipes, aqueducts and for any other injuries resulting from said acts, and if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party on petition to the county commissioners of Sagadahoc county, within twelve months after said plans are filed, may have said damage assessed by them and subsequent proceedings, and right of appeal thereon, shall be had in the same manner and under the same conditions, restrictions and limitations, as are by law prescribed in the case of damages by the laying out of highways. Failure to apply for damages within twelve months shall be held to be a waiver of the same.

Damages, how ascertained in case of disagreement.

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

May lay pipes through the highways.

—town, authorized to contract for water.

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

Capital stock.

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First meeting,
how called.

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

May issue
bonds.

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

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

Approved March 29, 1893.