

# MAINE STATE LEGISLATURE

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# Sixty-Eighth Legislature.

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HOUSE.

No. 158.

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## STATE OF MAINE.

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

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AN ACT to incorporate the Deer Isle Water Company.

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

Section 1. Charles W. Bryant, Jasper W. Haskell, Frank  
2 B. Ferguson, Augustus O. Gross and Elmer P. Spofford,  
3 their associates, successors and assigns, are hereby created  
4 into a body corporate, by the name of the Deer Isle Water  
5 Company, for the purpose of supplying the town of Deer  
6 Isle, in the county of Hancock, and the inhabitants of said  
7 town with water for industrial, manufacturing, domestic,  
8 sanitary, and municipal purposes, including the extinguish-  
9 ing of fires and sprinkling of streets.

Sect. 2. Said corporation for said purposes, may flow,  
2 detain, take, collect, store, use and distribute water from

3 any pond or stream flowing from any pond, in said Deer  
4 Isle, and may locate, construct and maintain dams, cribs,  
5 reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants,  
6 and all other necessary structures therefor.

Sect. 3. Said company is hereby authorized to lay, con-  
2 struct and maintain, under through, along and across the  
3 highways, ways, streets, railroads, bridges in said town, and  
4 to take up, replace and repair all such sluices, aqueducts,  
5 pipes, hydrants and structures as may be necessary for the  
6 purposes of their incorporation, under such reasonable  
7 restrictions and conditions as the selectmen of said town  
8 may impose. And said company shall be responsible for  
9 all damages to all corporations, persons and property, occa-  
10 sioned by the use of such highways, ways and streets, and  
11 shall further be liable to pay to said town all sums recovered  
12 against said town for damages from obstruction caused by  
13 said company, and for all expenses, including reasonable  
14 counsel fees, incurred in defending such suits, with interest  
15 on the same.

Sect. 4. Said company shall have power to cross any  
2 water course, private or public sewer, or to change the  
3 direction thereof where necessary, for the purposes of their  
4 incorporation, but in such manner as not to obstruct or  
5 impair the use thereof and said company shall be liable for  
6 any injury caused thereby. Whenever said company shall  
7 lay down any fixtures in any highway, way or street, or  
8 make any alterations or repairs upon its works in any high-

9 way, way or street, it shall cause the same to be done with  
10 as little obstruction to public travel as may be practicable,  
11 and shall at its own expense, without unnecessary delay,  
12 cause any earth or pavements then removed by it, to be  
13 placed in proper condition.

Sect. 5. Said company can take and hold any lands neces-  
2 sary for flowage, and also for its dams, reservoirs, locks,  
3 gates, hydrants, and other necessary structures, and may  
4 locate, lay and maintain sluices, aqueducts, pipes, hydrants,  
5 and other necessary structures and fixtures in, over and  
6 through any land for its said purposes, and excavate in and  
7 through such lands for such location, construction and  
8 maintenance.

Sect. 6. Should the company and the owner of such land  
2 be unable to agree upon the damages to be paid for such  
3 location, taking, holding and construction, the land owner  
4 may within twelve months after such taking apply to the  
5 commissioners of said county of Hancock, and cause such  
6 damages to be assessed in the same manner and under the  
7 same conditions, restrictions, and limitations as are by law  
8 prescribed in the case of damages resulting from the laying  
9 out of highways, so far as such law is consistent with this  
10 act. Said company may make a tender to any land owner  
11 damaged under the provisions of this act, and if such owner  
12 recovers more damages than were tendered to him by said  
13 company, he shall recover costs, otherwise said company  
14 shall recover costs.

Sect. 7. Said company is hereby authorized to make con-  
2 tracts with the United States and with corporations and the  
3 said town of Deer Isle, for the purpose of supplying water  
4 as contemplated by this act. And said town of Deer Isle  
5 is hereby authorized by its selectmen to enter into any con-  
6 tract with said company for a supply of water for any and  
7 all purposes mentioned in this act, including the remission  
8 of taxes upon real estate, fixtures, franchise, and plant of  
9 said corporation. ,

Sect. 8. If said company find it necessary to lay its pipes  
2 over tide waters, it may build and maintain all necessary  
3 piers and other structures causing as little obstruction to  
4 navigation as possible.

Sect. 9. The capital stock of said company shall not  
2 exceed one hundred thousand dollars, and said stock shall  
3 be divided into shares of fifty dollars each.

Sect. 10. Said company for all of its said purposes may  
2 hold real and personal estate necessary and convenient  
3 therefor, not exceeding in amount one hundred thousand  
4 dollars.

Sect. 11. Said company may issue its bonds for the con-  
2 struction of its works, of any and all kinds upon such rates  
3 and times as it may deem expedient, not exceeding the  
4 amount of capital stock subscribed for and secure the same  
5 by mortgage of the franchise, income and property of said  
6 company.

Sect. 12. The first meeting of said company may be called  
2 by a written notice thereof, signed by any one incorporator  
3 herein named, served upon each incorporator by giving in  
4 hand or by leaving the same at his last usual place of abode,  
5 seven days before the time of meeting.

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



STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,  
February 25, 1897.

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

W. S. COTTON, *Clerk.*