

MAINE STATE LEGISLATURE

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Sixty-Ninth Legislature.

SENATE.

No. 76.

STATE OF MAINE.

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

AN ACT to incorporate the Lily Water Company.

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

Section 1. E. P. Spofford, C. W. Bryant, L. A. Spofford
2 and A. M. Bryant, their associates, successors and assigns,
3 are hereby created into a body corporate, by the name of the
4 Lily Water Company, for the purpose of supplying the town
5 of Deer Isle in the county of Hancock, and the inhabitants
6 of said town with water for industrial, manufacturing,
7 domestic, sanitary and municipal purposes, including the
8 extinguishing 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 any
3 pond or stream flowing from any pond, in said Deer Isle,
4 and may locate, construct and maintain dams, cribs, reser-

5 voirs, locks, gates, sluices, aqueducts, pipes, hydrants, and
6 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 may
8 impose. And said company shall be responsible for all dam-
9 ages to all corporations, persons and property occasioned
10 by the use of such highways, ways and streets, and shall
11 further be liable to pay said town all sums recovered against
12 said town for damages from obstruction caused by said
13 company, and for all expenses, including reasonable counsel
14 fees, incurred in defending such suits, with interest on the
15 same.

Sect. 4. Said company shall have power to cross any water
2 course, private or public sewer, or to change the direction
3 thereof when necessary for the purposes of their incorpora-
4 tion, but in such manner as not to obstruct or impair the use
5 thereof, and said company shall be liable for any injury
6 caused thereby.

Whenever said company shall lay down any fixtures in any
8 highway, or street, or make any alterations or repairs upon
9 its works in any highway, way or street, it shall cause the
10 same to be done with as little obstruction to public travel as
11 may be practicable, and shall at its own expense, without
12 unnecessary delay, cause any earth or pavements removed
13 by it, to be 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 locations, and dig, excavate
8 and remove for its own use the rock, substance and earth at
9 the bed of Torrey's pond so-called in said Deer Isle.

It may enter upon such lands to make surveys and locations,
11 and shall file in the registry of deeds in said county of Han-
12 cock, plans of such location and lands, and within thirty days
13 thereafter publish notice thereof in some newspaper in said
14 county, such publication to be continued three weeks suc-
15 cessively.

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, holding and construction, the land owner may within
4 twelve months after such taking apply to the commissioners
5 of said county of Hancock, and cause such damages to be
6 assessed in the same manner and under the same conditions,
7 restrictions and limitations as are by law prescribed in the
8 case of damages resulting from the laying out of highways,
9 so far as such laws are consistent with this act. Said com-
10 pany may make a tender to any land owner damaged under
11 the provisions of this act, and if such owner recovers more
12 damages than were tendered to him by said company, he
13 shall recover costs, otherwise said company shall recover
14 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 contract
6 with said company for a supply of water for any and all pur-
7 poses mentioned in this act, including the remission of taxes

8 upon real estate, fixtures, franchise and plant of said corpo-
9 ration.

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 exceed
2 one hundred thousand dollars, and said stock shall be divided
3 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 there-
3 for, not exceeding in amount one hundred thousand 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 leaving the same at his place of last and usual abode,
5 seven days before the time of meeting.

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

STATE OF MAINE.

IN SENATE, March 1, 1899.

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

KENDALL M. DUNBAR, *Secretary.*