

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

SENATE.

No. 78

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

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. Augustus O. Gross, Henry W. Sargent and
2 Elmer P. Spofford, their associates, successors and assigns,
3 are hereby created into a body corporate, by the name of
4 the Lily Water Company, for the purpose of supplying the
5 town of Deer Isle in the county of Hancock, and the
6 inhabitants of said town with water for industrial, manu-
7 facturing, domestic, sanitary and municipal purposes,
8 including the extinguishing of fires and sprinkling of
9 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,
2 construct and maintain under, through, along and across
3 the highways, ways, streets, railroads, bridges in said
4 town, and to take up, replace and repair all such sluices,
5 aqueducts, pipes, hydrants and structures as may be
6 necessary for the purposes of their incorporation, under
7 such reasonable restrictions and conditions as the selectmen
8 of said town may impose. And said company shall be
9 responsible for all damages to all corporations, persons
10 and property occasioned by the use of such highways,
11 ways and streets, and shall further be liable to pay said
12 town all sums recovered against said town for damages
13 from obstruction caused by said company, and for all
14 expenses, including reasonable counsel fees, incurred in
15 defending such suits, with interest on the same.

Sect. 4. Said company shall have power to cross any
2 water course, private or public sewer, or to change the di-
3 rection thereof when 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
9 highway, way or street, it shall cause the same to be done
10 with as little obstruction to public travel as may be
11 practicable, and shall, at its own expense without unrec-

12 essary delay, cause any earth or pavements removed by it
13 to be placed in proper condition.

Sect. 5. Said company can take and hold any lands
2 necessary for flowage, and also for its dams, reservoirs,
3 locks, gates, hydrants, and other necessary structures,
4 and may locate, lay and maintain sluices, aqueducts,
5 pipes, hydrants, and other necessary structures and fix-
6 tures in, over and through any land for its said purposes,
7 and excavate in and through such lands for such locations,
8 and dig, excavate and remove for its own use the rock,
9 substance and earth at the bed of Torrey's pond, so-called,
10 in said Deer Isle. It may enter upon such lands to make
11 surveys and locations, and shall file in the Registry of
12 Deeds in said county of Hancock, plans of such location
13 and lands, and within thirty days thereafter publish notice
14 thereof in some newspaper in said county, such publica-
15 tion to be continued three weeks successively.

Sect. 6. Should the company and 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
4 within twelve months after such taking apply to the com-
5 missioners 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 lay-
9 ing out of highways, so far as such laws are consistent with
10 this act. Said company may make a tender to any land
11 owner damaged under the provisions of this act, and if such
12 owner recovers more damages than were tendered to him
13 by said company, he shall recover costs, otherwise said
14 company shall recover costs.

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

Sect. 8. If said company find it necessary to lay its
2 pipes over tide waters, it may build and maintain all
3 necessary piers and other structures causing as little obstruc-
4 tion to 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
2 may 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
2 construction of its works of any and all kinds, upon such
3 rates and times as it may deem expedient, not exceeding
4 the sum of one hundred thousand dollars and secure the
5 same by mortgage of the franchise, income and property of
6 said company.

Sect. 12. The first meeting of said company may be
2 called by a written notice thereof, signed by any one incor-
3 porator herein named, served upon each incorporator by

4 giving in hand or leaving the same at his place of last and
5 usual abode seven days before the time of meeting.

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

STATE OF MAINE.

IN SENATE, February 18, 1903.

Reported by Mr. CLARK from Committee on Legal Affairs, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*