

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE

1899.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1899.

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**Chapter 108.**

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 and A. M. Bryant, their associates, successors and assigns, are hereby created into a body corporate, by the name of the Lily Water Company, for the purpose of supplying the town of Deer Isle in the county of Hancock, and the inhabitants of said town with water for industrial, manufacturing, domestic, sanitary and municipal purposes including the extinguishing of fires and sprinkling of streets.

Corporators.

—corporate name.

Section 2. Said corporation for said purposes, may flow, detain, take, collect, store, use and distribute water from any pond or stream flowing from any pond, in said Deer Isle, and may locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants, and all other necessary structures therefor.

Authorized to take water.

Section 3. Said company is hereby authorized to lay, construct and maintain under, through, along and across the highways, ways, streets, railroads, bridges in said town, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen of said town may impose. And said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay said town all sums recovered against said town for damages from obstruction caused by said company, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

May lay pipes along highways, etc., under restrictions imposed by the selectmen.

Liable for all damages.

Section 4. Said company shall have power to cross any water course, private or public sewer, or to change the direction thereof when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall, at its own expense without unnecessary

May cross any water course or sewer.

—shall not obstruct travel.

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

May take land for flowage, etc.

Section 5. Said company can take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants, and other necessary structures, and may locate, lay and maintain sluices, aqueducts, pipes, hydrants, and other necessary structures and fixtures in, over and through any land for its said purposes, and excavate in and through such lands for such locations, and dig, excavate and remove for its own use the rock, substance and earth at the bed of Torrey's pond, so called, in said Deer Isle. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Hancock, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively.

—shall file plan of location in registry of deeds.

Damages, how assessed in case of disagreement.

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

May contract to supply water.

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

—town may contract for water and exempt from taxation.

May build piers.

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

Capital stock.

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

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

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May hold estate to amount of \$100,000.

Section 11. Said company may issue its bonds for the construction of its works of any and all kinds, upon such rates and times as it may deem expedient, not exceeding the amount of capital stock subscribed for and secure the same by mortgage of the franchise, income and property of said company.

May issue bonds and mortgage property.

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

First meeting, how called.

Section 13. This act shall take effect when approved.

Approved March 9, 1899.

### Chapter 109.

An Act to extend the charter of the Bluehill Water Company.

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

Section 1. The rights, powers and privileges of the Bluehill Water Company which were granted by chapter three hundred and fifty-three of the private and special laws of eighteen hundred and eighty-nine, and amended and extended by chapter four hundred and ninety-nine of the private and special laws of eighteen hundred and ninety-seven, are hereby extended for two years additional; and the persons named in said act and amendment, their associates and successors, shall have all the rights, powers and privileges that were granted them by said act, to be exercised in the same manner and for the same purposes as specified in said act.

Charter extended, two years.

Section 2. This act shall take effect when approved.

Approved March 9, 1899.