

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Section 6. The capital stock of said company shall not exceed ten thousand dollars, and shall be divided into shares of fifty dollars each.

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Capital stock.

Section 7. Said corporation is hereby authorized to issue its bonds in such amount and on such time as it may from time to time determine, not exceeding the amount of capital stock subscribed for, in aid of the purpose specified in this act and to secure the same by a mortgage of its franchises and property. It is also hereby authorized to lease all of its property and franchises upon such terms as it may determine.

May issue bonds.

—may mortgage its property.

Section 8. The first meeting of said corporation may be called by the first incorporator, but failing to do so, either of the other incorporators may by a written notice signed by him, stating the time and place thereof, and sent by mail to his associates five days before said meeting.

First meeting, how called.

Section 9. This charter shall be null and void unless operations shall actually commence hereunder within two years from the date of the passage of this act.

Shall commence within two years.

Approved March 4, 1903.

Chapter 102.

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 Elmer P. Spofford, 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.

—purposes.

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.

May take water.

—may construct dams, etc.

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

May cross highways.

CHAP. 102

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.

—shall be responsible for damages.

May cross sewers.

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

May take lands.

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.

—may enter upon lands to make surveys.

Damages, how assessed.

Section 6. Should the company and 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

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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 make tender for.

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.

May make contracts to supply water.

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.

May build piers.

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.

Capital stock.

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.

May hold real and personal estate.

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 sum of one hundred thousand dollars and secure the same by mortgage of the franchise, income and property of said company.

May issue bonds.

—may mortgage its 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 4, 1903.