

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 174

In Senate, Feb. 4, 1913.

Presented by Senator Bailey of Penobscot, and on motion by same Senator laid on the table for printing pending reference to a committee.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to authorize the Bangor Railway and Electric Company to take water from Chemo Lake and its tributaries.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The Bangor Railway and Electric Company,
2 a corporation organized under the general laws of the state
3 of Maine, and having its principal office in Bangor, in the
4 county of Penobscot, is hereby authorized and empowered
5 to take, divert and use the water from Chemo lake, situ-
6 ated in the towns of Bradley, Clifton and Eddington, in the
7 county of Penobscot, and from its tributaries wherever situ-

8 ated, for the purpose of supplying the inhabitants of the
9 cities of Old Town and Brewer and the towns of Veazie
10 and Orrington with pure water; provided, however, that at
11 all times sufficient water shall be allowed to flow out of
12 said Chemo lake, for the use and purposes of the Orono
13 Water Company. Said Bangor Railway and Electric Com-
14 pany and said Orono Water Company are hereby author-
15 ized to enter into a contract changing the terms and condi-
16 tions of supplying the town of Orono with water.

Sect. 2. The Bangor Railway and Electric Company for
2 the purposes aforesaid is hereby authorized and empowered
3 to take and hold by purchase or otherwise any land or in-
4 terest therein or water rights necessary for erecting dams
5 for flowage, for power for pumping purposes, for reser-
6 voirs, for preserving the purity of the water shed and for
7 laying and maintaining pipes, aqueducts and other structures
8 for taking, distributing, discharging and disposing of water.

Sect. 3. The Bangor Railway and Electric Company is
2 authorized and empowered to increase the storage of said
3 Chemo lake, or any pond tributary to said Chemo lake, and
4 to erect and maintain all proper structures therefor.

Sect. 4. The Bangor Railway and Electric Company is
2 hereby authorized and empowered to lay in and through
3 such streets and highways and across such private lands,
4 and to repair and replace such pipes, aqueducts and fixtures
5 as may be necessary and convenient for supplying said cities
6 and towns with water. And whenever said company shall

7 lay pipes or aqueducts in any street or highway it shall cause
8 the same to be done with as little obstruction as possible to
9 public travel and shall, at its own expense, without unneces-
10 sary delay, cause the earth and pavement removed to be
11 replaced in proper condition.

Sect. 5. In exercising any right of eminent domain con-
2 ferred upon it by law for the purposes above mentioned,
3 the Bangor Railway and Electric Company shall file in the
4 office of the county commissioners of Penobscot county,
5 and record in the registry of deeds in said county, plans of
6 the location of lands or interests therein or water rights to
7 be taken, with an appropriate description and names of the
8 owners thereof, and no entry shall be made on any private
9 lands except to make surveys, until the expiration of ten
10 days from such filing and record.

Sect. 6. If any person, sustaining damages by any taking
2 as aforesaid, shall not agree with said company upon the
3 sum to be paid therefor, either party, upon petition to the
4 county commissioners of Penobscot county, may have said
5 damages assessed by them; the procedure and all subsequent
6 proceedings and right of appeal thereon shall be had under
7 the same restrictions, conditions and limitations as are by
8 law prescribed, from time to time, in the case of damages
9 by the laying out of highways.

Sect. 7. No person, firm, association, club or corporation
2 shall hereafter build in or occupy any structure upon or
3 near the shores of Chemo lake or any pond or stream tribu-

4 tary thereto, for such purposes or in such manner that the
5 sewer or drainage therefrom shall enter the waters of said
6 lake or any other pond or stream tributary thereto. No
7 person shall hereafter throw the body of any dead animal
8 or other offensive material into the water of said Chemo
9 lake or into the waters of any pond or stream tributary
10 thereto, or leave the same upon such lake, ponds, or streams,
11 when frozen; nor shall any sewage, drainage, refuse or pol-
12 luting matter, of such kind and amount as, either by itself
13 or in connection with other matter, will tend to corrupt or
14 impair the purity of the waters of said lake, ponds and
15 streams, or tend to render them injurious to health, be dis-
16 charged into said waters or deposited therein or thereon.

Sect. 8. Whoever violates any of the provisions of section
2 seven of this act, shall be punished by a fine not exceeding
3 five hundred dollars or by imprisonment not exceeding one
4 year. The supreme judicial court shall have jurisdiction
5 in equity to enjoin, prevent or restrain any violation of the
7 provisions contained in section seven of this act.