

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 227.

STATE OF MAINE.

**IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE**

AN ACT to ratify and confirm the organization of the Pine
Lake Water Company and to enlarge its powers.

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

SECTION 1. The organization of Pine Lake Water Com-
pany, a corporation organized under the general laws of
the State of Maine, and the certificate of organization of
which corporation was filed in the office of the secretary of
state, on the eighth day of June, eighteen hundred and
ninety-three, is hereby ratified and confirmed.

SECT. 2. Said company for the purposes named in its
certificate of organization may detain, take, store and dis-
tribute water from any stream, lake, spring, or pond situated
in the town of Deer Isle, in the county of Hancock, and

5 may locate, construct and maintain dams, reservoirs, sluices,
6 aqueducts and pipes therefor. Such aqueducts and pipes
7 may be located and constructed along and across any high-
8 way or town-way in said town of Deer Isle, in such manner
9 as the municipal officers of said town may approve.

SECT. 3. Said company may occupy any lands neces-
2 sary for its dams, reservoirs, springs and necessary build-
3 ings, and may locate and lay and maintain pipes in and
4 through any lands for said purposes, and excavate in and
5 through such lands for such location, construction and
6 maintenance of said pipes, dams, springs and reservoirs.
7 It may enter upon such lands to make surveys and loca-
8 tions, and shall file in the registry of deeds in said county
9 of Hancock, plans of such location and lands, and within
10 thirty days thereafter publish notice thereof in some news-
11 paper in said county, such publication to be continued
12 three weeks successively. Not more than two rods in
13 width of land shall be occupied by any pipe or aqueduct,
14 and not more than two acres by any reservoir.

SECT. 4. Should the said company and the owner of
2 such land be unable to agree upon the damages to be paid
3 for such location and occupation and construction, the
4 land owner may within twelve months after filing of plans
5 of location, apply to the commissioners of said county and
6 have such damages assessed by a committee or jury, as in
7 the case of petitions for increase of damages for land taken
8 for highways. If said company shall fail to pay such land
9 owner, or deposit for his use with the clerk of the county
10 commissioners such sum as may be finally awarded, as
11 damages, with costs, within sixty days after notice of final
12 judgment shall have been received by the clerk of courts

13 of said county, the said location shall be thereby invalid,
14 and the company forfeit all rights under the same. If
15 such land owner recovers more damages than were ten-
16 dered by said company, he shall recover costs, otherwise
17 the company shall recover costs against said land owner.
18 Failure to apply for damages within said twelve months,
19 shall be held to be a waiver of the same. No action shall
20 be brought against said company for such taking and
21 occupation, until after such failure to pay or deposit as
22 aforesaid. Damages caused by flowage are to be ascer-
23 tained and paid in the same manner.

SECT. 5. Any person suffering damage by the taking
2 of water by said company, as provided by this act, may
3 have his damages ascertained in the manner provided by
4 the preceding section, and payment therefor shall be made
5 in the same manner and with the same effect. No action
6 shall be brought for the same until after the expiration of
7 the time of payment.

SECT. 6. 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 amount of capital stock subscribed for and secure the
5 same by mortgage of the franchise, income and property of
6 said company.

STATE OF MAINE.

IN SENATE, March 13, 1895.

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

KENDALL M. DUNBAR, *Secretary.*