

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 42

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## STATE OF MAINE.

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

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AN ACT authorizing the Orono Water Company to take water  
from Chemo lake and Chemo stream in the town of Bradley.

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

Section 1. The Orono Water Company, in addition to the  
2 rights, powers and privileges granted to said company by  
3 chapter three hundred and ninety-six of the Private and  
4 Special Laws of the year eighteen hundred and ninety-seven,  
5 is hereby authorized, for the purposes set forth in said act, to  
6 take and use water from Chemo lake and from Chemo stream  
7 in the town of Bradley; to conduct the same through the said  
8 town of Bradley to the system of waterworks of said com-  
9 pany in the town of Orono; for that purpose to survey for,  
10 locate, lay, erect and maintain suitable dams, reservoirs and

11 machinery, pipes, aqueducts and fixtures, within said town  
12 of Bradley; to carry its pipes or aqueducts under or over any  
13 watercourse, bridge, street, highway or other way within said  
14 town of Bradley; to enter, pass over and excavate any lands,  
15 and to take and hold by purchase or otherwise, any real  
16 estate, rights of way or of water, and in general to do any  
17 acts necessary, convenient or proper, in the town of Bradley  
18 for carrying out any of the purposes specified in the act of  
19 incorporation of said Orono Water Company.

Sect. 2. Said Orono Water Company shall be held liable to  
2 pay all damages that shall be sustained by any person or  
3 corporation by the taking of any land, water or other prop-  
4 erty, or by excavating through any land for the purpose of  
5 laying down pipes and aqueducts or building any reservoir,  
6 stand pipe or other structure herein authorized to be built,  
7 and also damages for any injury resulting from said acts,  
8 and if any person or corporation sustaining damages as afore-  
9 said and said Orono Water Company cannot mutually agree  
10 upon the sum to be paid therefor, or upon some other means  
11 of determining the same, then and in such case any such per-  
12 son or corporation or said Orono Water Company is hereby  
13 authorized to file a petition in the clerk's office of the supreme  
14 judicial court for the county of Penobscot, addressed to any  
15 justice of said court, who, after notice to all persons inter-  
16 ested, and a hearing, shall appoint one disinterested appraiser  
17 for the purpose of fixing the valuation of said property. The  
18 appraiser so appointed, after due notice and hearing, shall  
19 fix the valuation of said property. His report shall be filed  
20 in said clerk's office within thirty days after his appointment,  
21 and any justice of said court, after notice and hearing, may  
22 confirm or reject the same or recommit it if justice so  
23 requires. The award of such appraiser shall be conclusive  
24 as to valuation but any questions of title to property valued  
25 by him shall be determined by such single justice. Upon the

26 confirmation of said report such single justice, after hearing,  
27 may make final decree upon the entire matter, including the  
28 application of the purchase-money, discharge of liens and  
29 other incumbrances and transfer of the property, jurisdiction  
30 over which is hereby conferred with the same power to  
31 enforce said decree as in equity cases. The findings of such  
32 single justice shall be final. The costs and expenses arising  
33 under the provisions of this act shall be borne and paid as  
34 directed by the justice making the final decree.

Sect. 3. This act shall take effect when approved.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, February 1, 1905.

Reported by Mr. THOMPSON, from Committee on Interior Waters  
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk*