

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 62

House of Representatives, Jan. 31, 1911.

Introduced by Mr. Shea of Bar Harbor, who moved its reference to the Committee on Legal Affairs. By Mr. Mace of Great Pond tabled for printing pending reference to a committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

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

AN ACT to grant certain powers to the Hancock County Trustees of Public Reservations.

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

Section 1. The Hancock County Trustees of Public Reser-
2 vations a corporation existing under the laws of the State
3 of Maine is hereby authorized and empowered to take by
4 devise, gift or purchase and to hold, and also to take as
5 for public purposes by eminent domain, any land in the wa-
6 ter sheds of Eagle Lake, and Jordan's Pond, or either of
7 them on Mount Desert Island, Hancock County, Maine,
8 which said corporation deems necessary to protect the wa-
9 ters thereof from pollution.

Sect. 2. The land so taken by eminent domain shall be
2 held for public purposes and the corporation shall not per-
3 mit the same to be occupied for any purpose that pollutes
4 or menaces the purity of the water of said Lakes. The
5 Supreme Judicial Court upon a bill in equity filed by any
6 person interested shall have power to enforce the provisions
7 of this section by injunction.

Sect. 3. In proceeding to take such land by eminent
2 domain said corporation shall file in the Town Clerk's Of-
3 fice of the Town where such land is situated a plan there-
4 of and shall give notice of such filing by publishing the
5 same for three weeks successively in some newspaper pub-
6 lished in Hancock County. Said land shall be considered
7 taken as of the date of the last said publication, but the
8 corporation shall have no right to take possession of such
9 lands or to enter thereon except for the purpose of making
10 surveys until payment is made or secured as provided in
11 the following section.

Sect. 4. If the corporation and the owner of land taken
2 can not mutually agree upon a just compensation therefor,
3 the same shall upon petition by either party be determined
4 by the Municipal Officers of the Town where the land
5 taken is situated, subject to appeal by either party to the
6 Supreme Judicial Court, within the time, in the manner and
7 with all the rights provided by law in the case of an appeal
8 from the assessment of damages on the account of laying
9 out town ways.

In case of such appeal the corporation may, and upon
11 petition by the owner of land taken, shall secure payment
12 of damages that shall be finally determined by filing in the
13 office of the Supreme Judicial Court for Hancock County,
14 a bond in such amount as may be determined by a justice
15 of said Court and with sureties approved by him.