

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 392

House of Representatives, March 2, 1911.

*Reported by Mr. Peters from Committee on Legal Affairs
and ordered printed under joint rules.*

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 Res-
2 ervations, 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 for
5 public purposes by eminent domain, any land or any interest
6 therein in the water sheds of Eagle Lake and Jordans Pond
7 or either of them on Mount Desert Island, Hancock coun-
8 ty, Maine, which said corporation deems necessary to pro-
9 tect the waters thereof from pollution.

Sect. 2. The land so taken by eminent domain shall be
2 held for the public for the purpose of protecting the purity

3 of the water of said lakes. Said corporations shall not per-
4 mit the same to be used for any purpose that pollutes or
5 menaces the purity of the water of said lakes, and may make
6 and enforce suitable regulations for this purpose.

Sect. 3. No such land shall be taken by eminent domain
2 under the provisions hereof unless such taking shall be ap-
3 proved by the State Board of Health.

Upon petition by said corporation and a satisfactory guar-
5 antee of payment of the expense thereof the said board is
6 hereby authorized to make or cause to be made such inves-
7 tigation as is necessary for the purpose.

Sect. 4. In proceeding to take such land by eminent do-
2 main said corporation shall file in the town clerk's office of
3 the town where such land is situated a plan thereof and a
4 certificate of approval of the State Board of Health signed
5 by its chairman or secretary and shall give notice of such
6 filing by publishing the same for three weeks successively in
7 some newspaper published in Hancock county. Said land
8 shall be considered taken as of the date of the last said pub-
9 lication, but the corporation shall have no right to take pos-
10 session of such lands or to enter thereon except for the pur-
11 pose of making survey until payment is made or secured as
12 provided in the following section.

Sect. 5. 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 taken

5 is situated, subject to appeal by either party to the supreme
6 judicial court, within the time, in the manner and with all
7 the rights provided by law in the case of an appeal from the
8 assessment of damages on account of the laying out of town
9 ways.

In case of such appeal the corporation may, and upon peti-
11 tion by the owner of land taken, shall secure payment of
12 the damages that shall be finally determined by filing in the
13 office of the supreme judicial court for Hancock county, a
14 bond in such amount as may be determined by a justice of
15 said court and with sureties approved by him.