

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 141

In Senate, Feb. 28, 1911.

Reported by Mr. Staples from Committee on Judiciary and ordered printed under joint rules.

W. C. HANSON, Secretary.

STATE OF MAINE

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

AN ACT to authorize the city of Lewiston to take ice from the Androscoggin River, Lake Auburn and other ponds in Androscoggin County and sell the same at cost to its inhabitants.

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

Section 1. The city of Lewiston is hereby authorized and
2 empowered to cut and take ice from the Androscoggin river
3 and from Lake Auburn, or any pond in Androscoggin coun-
4 ty, and sell said ice to the inhabitants of said Lewiston at
5 cost, that is to say, without financial profit to said city. Said
6 city of Lewiston is hereby given and granted all shore rights,
7 privileges and easements in, upon, and about said Andros-
8 coggin river, Lake Auburn, and other ponds in said Andros-
9 coggin county, necessary to cut said ice in said Andros-

10 coggin river, Lake Auburn and other ponds in Androscoggin
11 county, and to take the same therefrom and store it in suit-
12 able ice houses at or near the shore of said Androscoggin
13 river, Lake Auburn, and the other ponds of Androscoggin
14 county aforesaid. Said city of Lewiston is hereby author-
15 ized and empowered to acquire by purchase any land at or
16 near the shore of said Androscoggin river, Lake Auburn,
17 and other ponds in said Androscoggin county from which
18 it may decide to cut and take ice as aforesaid.

Sect. 2. The board of water commissioners of said city
2 of Lewiston may enter upon any land along the shore of
3 said Androscoggin river, Lake Auburn, or any other pond
4 in Androscoggin county from which it may cut and take ice
5 under this chapter, for locating the necessary ice houses or
6 other structures, doing no unnecessary damage, and said
7 city of Lewiston may take and hold the quantity of land to-
8 gether with the shore rights, privileges, and easements ap-
9 purtenant thereto necessary in the opinion of said water
10 commissioners for the purpose of constructing ice houses
11 and other structures necessary to carry out the purposes of
12 this act; and within thirty days after determining the quan-
13 tity of land and the boundaries thereof to be taken and held,
14 said city of Lewiston shall file in the registry of deeds for
15 the county of Androscoggin, notice of said taking, together
16 with plans and descriptions of said land, with the purposes
17 for which it is taken, signed by the aforesaid water com-
18 missioners, and after filing said plans and descriptions and

19 purposes, may enter upon, take and hold the land and rights
20 appurtenant thereto included in said descriptions for the
21 purposes designated therein, and may use any portion of the
22 land so taken and held in the erection of such ice houses or
23 other structures as may be necessary for the purpose herein
24 contemplated, the damages therefor to be assessed as here-
25 inafter provided, and whenever said city of Lewiston shall,
26 under the provisions of this act, cut and take ice from any
27 of the sources herein named, it shall file in the registry of
28 deeds in said county of Androscoggin, a notice of said taking,
29 describing the bounds and location of said land and a gen-
30 eral description of the ice houses or other structures to be
31 built thereon.

Sect. 3. The city of Lewiston shall be liable for the dam-
2 ages sustained by any persons or corporations in their prop-
3 erty by the taking of any land for the building of ice houses
4 or other structures as aforesaid in carrying out the purpose
5 of this act, and shall be liable for damages for any land
6 taken under the provisions of this act.

Should said city of Lewiston be unable to agree upon the
8 price of said land or the damages to be paid by reason of
9 taking and holding land as aforesaid, with any person or
10 corporation claiming damages by reason of taking of said
11 land under the provision of this act, any such person or cor-
12 poration or said city of Lewiston may, within twelve months
13 after the filing of said notices, plans and descriptions, apply
14 to the commissioners of the county of Androscoggin, who

15 shall cause such damages to be assessed in the same manner
16 and under the same restrictions, conditions, limitations and
17 rights of appeal, as are by law prescribed in the case of
18 damages for the laying out of highways, so far as such law
19 is consistent with the provisions of this act.