

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 985

S. P. 611

In Senate, Mar. 20, 1933.

Reported by Senator Farnsworth of Aroostook from Committee on Interior Waters and laid on table to be printed under Joint Rules.

ROYDEN V. BROWN, Secretary.

New Draft of S. P. 149, L. D. 467.

S T A T E O F M A I N E

I N T H E Y E A R O F O U R L O R D N I N E T E E N H U N D R E D T H I R T Y -
T H R E E

AN ACT to Extend the Charter of Kennebec Reservoir Company.

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

Sec. 1. Rights and powers extended for 2 years. The rights, powers and privileges of the Kennebec Reservoir Company, which were granted by chapter 113 of the private and special laws of 1927 and as amended by chapter 96 of the private and special laws of 1929 and as amended by chapter 64 of the private and special laws of 1931 and as amended by this act, are hereby extended for the period of 2 years from the date when this act takes effect; and the persons named in said act as amended, their associates, successors and assigns shall have all the rights, powers and privileges that were granted them, or their predecessors, by said act and the amendments thereto including those contained herein to be exercised in the same manner and for the same purposes as specified in said act as heretofore and hereby amended.

Sec. 2. P. & S. L., 1927, c. 113, § 12, amended. Section 12 of chapter 113 of the private and special laws of 1927 as amended by section 2 of chapter 64 of the private and special laws of 1931 is hereby amended to read as follows :

'Sec. 12. Authorized to acquire lands and other property rights by purchase or eminent domain, except state lands; right to flow lands conferred;

assessment of damages. Said corporation is authorized to acquire by purchase, lease or otherwise such lands, properties and rights, including any state, public or reserved lots, as it may require; and when subscriptions to the capital stock thereof to an amount of at least \$300,000 have been made, it is authorized and empowered to take and hold as for public uses, such lands, properties and rights (not including state, public and reserved lots, or parts thereof) as it may require for any of the aforesaid uses and purposes, and such material as may be needed for erecting and maintaining any of its dams and works, and all proceedings in relation to said taking and the assessment of damages therefor shall be as provided in said chapter 61, sections 12 to 21, both inclusive, of the revised statutes. Said corporation is also authorized and empowered, when subscriptions of the aforesaid amount shall have been made to its capital stock, to flow such lands as may be necessary to carry out the purposes of this act, and the damages therefor and for flowage caused or authorized under any other section of this act not otherwise expressly provided unless arranged by mutual agreement, shall be ascertained and determined in the manner prescribed in chapter 97 of the revised statutes; provided, however, that the owner of any land, the whole or a part of which is so flowed, may at any time after the beginning of said flowage and before final adjudication of his damages yearly or in gross, file his petition in term time or vacation, in the supreme judicial court in the county where said land lies, or if said land lies in part in 2 counties, then, in either, electing to take in place of said damages the amount provided in any written option ~~within six years heretofore taken~~ **or agreement of sale made or taken since January 1, 1921** by the Central Securities Corporation, or the Central Maine Power Company, or any one of the incorporators in this act, or any person in behalf of any of the same from the then owners of said land; and upon proof of said option **or agreement of sale** the court shall decree the title to the land in said option **or agreement of sale** described to this corporation and shall order judgment for the petitioner and against this corporation for the amount in said option **or agreement of sale** proven, and interest thereon from the date of filing said petition; all proceedings under this proviso to be as in equity. And except as herein provided said corporation may have the benefit of chapter 196 of public laws of 1921. The provisions of this section shall not be construed to authorize the taking of property of franchises described in section 11 otherwise than by purchase.'