

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SEVENTY-FIFTH LEGISLATURE

OF THE  
STATE OF MAINE.

1911

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Published by the Secretary of State, agreeably to Resolves of  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth  
Legislature

*1911*

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CHAP. 131

terms and conditions upon which said permission may be granted as specified and provided in section five of this act.

Action of city council may be ratified or rejected at special election.

Section 7. The municipal officers of the city of Bangor shall upon the petition of four hundred qualified voters of said city cause a special election to be held within thirty days from the day of the filing of said petition, for the purpose of ratifying or rejecting such actions as the said city council may take in imposing terms upon such corporations and companies for use of said bridge as provided for in section five of this act.

Petition for special election filed with city.

Said petition to be valid shall be filed with the city clerk of said city of Bangor within seven days from the time said action is taken by said city council, and if a majority of the votes cast at said special election are in favor of rejecting the action of said city council, said action shall be rendered null and void.

—major vote final.

If a majority of votes shall be in affirmation of said action, then said action will be final.

Approved March 16, 1911.

Chapter 131.

An Act granting certain powers to the Pennamaquam Power Company.

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

Company authorized to lower the waters of Pennamaquam lake.

Section 1. The Pennamaquam Power Company, a corporation existing under the laws of the State of Maine, successor to the Pembroke Power Company, its successors and assigns, is hereby authorized to lower the waters of lake Pennamaquam, situated in the county of Washington, for the purpose of making more uniform its power, and when necessary for said purpose in periods of drought or dry seasons, to a level of eighteen inches below the low water mark of said lake in the year nineteen hundred and ten; said low water mark of the year nineteen hundred and ten to be determined by such civil engineer as may be agreed upon by the land owners, whose rights will be affected, and bordering on said lake, and the Pennamaquam Power Company, and to be fixed by said engineer upon investigation and such evidence as he deems necessary; said low water mark shall be established by said engineer at any time after thirty days' notice to all parties owning lands bordering upon said lake and affected by this act. Said notice shall be considered sufficient for the purposes of this act when the Pennamaquam Power Company, through its president, shall have mailed to the last known address of all real estate owners, resident or non-resident, whose names appear as being assessed

—low water mark to be determined by engineer agreed upon by parties.

—sufficient notice.

upon the assessors' books of the town of Charlotte for the year in which this low water-mark is established, a written communication stating its purpose to have the low water mark of one thousand nine hundred and ten established by said civil engineer. In the event of the Pennamaquam Power company and land owners, whose rights are affected by this act, being unable to agree on the engineer aforesaid, then said land owners shall name a civil engineer, said power company shall name a civil engineer and the two shall proceed to establish the low water mark as aforesaid; and in the event of their not being able to agree, these two shall have authority to choose a third party and the low water mark as agreed upon by any two of the three so acting shall be fixed and established as the low water mark of nineteen hundred and ten. If real estate owners, herein referred to, neglect, for a period of thirty days after having been notified by said Pennamaquam Power Company of their intention to have the low water mark of nineteen hundred and ten determined by a civil engineer, to express their desires as to who shall act as said engineer, and neglect to select an engineer within said thirty days, then such civil engineer as the Pennamaquam Power Company shall select shall proceed to fix the same and his decision shall be final.

—two engineers shall be selected if parties fail to agree on one.

—third party may be chosen.

For the purpose of lowering the water as aforesaid, the said Pennamaquam Power Company is hereby authorized and empowered to remove such ledges, rocks and other obstructions at the outlet of lake Pennamaquam, and where the same enters into Pennamaquam river, as are necessary for said purpose, and to make such improvements and to construct such appliances as may be necessary at the outlet of said lake to maintain the level of said lake as herein provided for. In no event, however, is the said power company authorized or empowered by alterations so made or structures so erected to raise the waters of said lake above the present high water level.

—company may remove obstructions at outlet of lake.

Section 2. Any person, or persons, claiming damages under this act may obtain compensation for the injury in the same manner as is provided by any of the methods prescribed under chapter ninety-four of the revised statutes of the state of Maine.

Compensation for damages, how obtained.

Section 3. Nothing in this act shall authorize the taking at any time of water from Boyden's lake, the source of the water supply for the city of Eastport; and the Eastport Water Company, for the purpose of at all times maintaining a sufficient supply of water for the uses of the city of Eastport and the inhabitants thereof, is hereby authorized and empowered to construct and maintain at or near the Boyden's lake end of

Taking water from Boyden's lake not authorized by this act. Eastport Water Company authorized to maintain dam.

## CHAP. 132

—liable for damages.  
—damages, how ascertained, if parties fall to agree.

the small stream connecting Boyden's lake with Pennamaquam lake, a good and sufficient dam to retain the water in Boyden's lake, and shall be liable for all damages caused by the taking of land therefor. Said damages, if not agreed upon, to be ascertained in the manner and under the same conditions, restrictions and limitations as are prescribed by law in the case of damages by the laying out of railroads. Until said dam shall be constructed as aforesaid, nothing in this section shall render the Pennamaquam Power Company liable to the Eastport Water Company by reason of the provisions of this section.

Approved March 16, 1911.

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### Chapter 132.

An Act granting certain powers to the Eastport Water Company.

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

Company authorized to erect and maintain dam.

Section 1. The Eastport Water Company, a corporation organized and existing under the laws of the state of Maine and having its principal office at Eastport in the county of Washington and state of Maine, for the purpose of conserving and insuring at all times a more perfect and sufficient supply of pure water for the city of Eastport to be used for domestic, fire, mechanical and municipal purposes, is hereby authorized and empowered to erect and maintain a dam at or near the Boyden lake end of the small stream connecting Boyden lake with Pennamaquam lake and a dam at the outlet of Boyden lake; and further is authorized to raise its dams already constructed and maintained on Little river in the town of Perry.

May take land.

Section 2. Said Eastport Water Company is hereby authorized for the purpose aforesaid to take and hold, by purchase or otherwise; to enter, pass over and excavate any lands necessary for the purposes authorized by this act.

—may enter and pass over land.

Shall file plans in registry of deeds.

Section 3. Said Eastport Water Company shall file in the registry of deeds in the county of Washington, plans and descriptions of the location of all lands taken under the provisions of this act except such lands as are flowed, and no entry shall be made upon any land, except to make surveys, until the expiration of twenty days from such filing and with such plan the corporation, may file a statement of the damages it is willing to pay to any person or corporation for any property so taken, and if the amount finally awarded does not exceed that sum the company shall recover costs against said