

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Third Legislature

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or any part of its bonds maturing from February second, nineteen hundred forty, to April first, nineteen hundred forty-seven, both inclusive, such bonds having been issued under plan and agreement for the reorganization of Boston & Maine Railroad dated September first, nineteen hundred twenty-five, as duly authorized by the interstate commerce commission by its order dated July eighth, nineteen hundred twenty-six.

Approved March 22, 1927.

Chapter 42

An Act to Incorporate Lucerne-in-Maine Water Company.

Emergency, preamble. Whereas, the inhabitants of and those who own or are in possession of estates in the territory described in this act exceed two thousand in number; and whereas there is already constructed in said territory a club house, a hotel, many business structures, and over fifty private dwellings all owned by said inhabitants or by those owning or in possession of said estates; and whereas there is continually being constructed in various parts of said territory further private dwellings and other business structures constructed of wood and intended for occupancy; and whereas there are now living within said territory in said buildings and structures already constructed many persons; and whereas through the spring and summer of the year 1927 there will continue to come to said territory for the purpose of dwelling therein many other persons who own or are in possession of estates therein and visitors; and whereas said territory is largely wild land and heavily forested and subject to forest fires specially through the spring and summer seasons; and whereas said persons who now dwell within said territory and those who shall come there through the spring and summer seasons of the year 1927 for the purpose of dwelling therein, are now dwelling and will dwell therein without any adequate fire protection or water supply for domestic, sanitary and municipal purposes; and whereas as soon as this act and the charter provided for therein become effective it will permit of work and proceedings thereunder to provide adequate fire protection and water supply for domestic, sanitary and municipal purposes for the protection and benefit of all the persons who dwell or may come to dwell within said territory; and whereas said work and proceedings cannot be commenced or the funds necessary to conduct such work and proceedings cannot be obtained until this act and the charter provided for therein become effective; and whereas same are necessary, and

Whereas, by reason of the foregoing facts the immediate passage of this

act is necessary for the preservation of the public health and safety, and in the judgment of this legislature constitutes an emergency measure within the meaning of the constitution of this state, now therefore,

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

Sec. 1. Corporators; corporate name; purposes; powers and liabilities. Harold M. Saddlemire, M. C. Saddlemire and Leroy J. Butterfield with their associates and successors, be and hereby are made a corporation under the name of Lucerne-in-Maine Water Company, for the purpose of supplying the inhabitants and property owners of the territory incorporated under the name of Lucerne-in-Maine Village Corporation, situate in the county of Hancock, state of Maine, with water for domestic, sanitary and municipal purposes; and such corporation shall possess all the powers and privileges and be subject to all the liabilities and obligations imposed upon corporations by law, except as herein otherwise provided.

Sec. 2. Territorial limits; after acquired property to become a part of territory. The territory embraced and included within the following limits, to wit; a certain lot or parcel of land situate in the town of Dedham, county of Hancock and state of Maine, bounded and described as follows, viz: Beginning at a point on the westerly side of the Bangor Road, so called, and on the generally northerly line of lot 25 according to a plan of the Town of Dedham made by Ira B. Hagan in 1913, said lot 25 being formerly owned or occupied by J. Phillips, Jr.; thence westerly on and by the northerly line of said lot 25 forty (40) rods more or less to the generally easterly shore of Phillips Lake; thence northwesterly on and by the generally easterly shore of Phillips Lake one hundred eighty-five (185) rods more or less; thence South 74° West nine (9) rods more or less to a now or former large fixed stone where there is now a post; thence North 60° West formerly thirty-four (34) rods to a stake and stones; thence North $13\frac{1}{2}^{\circ}$ West, formerly, forty-five (45) rods and three (3) feet to a stake and stones; thence North 54° West formerly six (6) rods to a stake and stones; thence North $58\frac{1}{2}^{\circ}$ West formerly, thirty-six (36) rods and thirteen and one-half ($13\frac{1}{2}$) feet to a stake and stones; thence North 35° West formerly, twenty (20) rods to a stake and stones; thence North $82\frac{1}{2}^{\circ}$ West formerly, eight (8) rods to a stake and stones; thence North 75° West formerly fifty-two (52) rods to a stake and stones on the Bucksport Road, so called, said last named stake and stones being six (6) rods and sixteen (16) links south of a stone monument standing on the town line between Dedham and Holden; thence northerly on said road to the Miller lot, so called; thence South $46\frac{1}{2}^{\circ}$ East formerly, six (6) rods; thence North $43\frac{1}{2}^{\circ}$ East formerly, one hundred four (104) rods to a now or former hemlock tree; thence South 59° East formerly, nineteen (19) rods

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to a now or former hemlock tree; thence North $43\frac{1}{2}^{\circ}$ East formerly fifty (50) rods more or less to the generally westerly line of the Bangor Road, so called, leading from Bangor to Ellsworth; thence southerly on and by said westerly line of the Bangor Road, so called, seventy (70) rods more or less to the division line between lots 56 and 57 according to said plan, extended or continued westerly across said Bangor Road; thence about South 81° East on the division line between lots 56 and 57 and the continuation thereof one hundred eighty-four (184) rods more or less to the generally easterly line of lot 56 according to said plan; thence northerly on and by the easterly line of lot 56 and a road as existed April 17, 1844, (see Hancock registry of deeds Vol. 78, Page 413) leading from land formerly owned or occupied by one Kidder to land formerly owned or occupied by one Thompson, one hundred twelve (112) rods to the northerly line of said lot 56; thence about South 81° East on and by the southerly line of land formerly owned or occupied by one Hall one hundred fifty (150) rods more or less to the southeast corner of said Hall land; thence about South 1° East two hundred twenty (220) rods more or less to the northeasterly corner of lot 24, formerly owned or occupied by F. Frye; thence about North 81° West on the northerly line of said lot 24 and the northerly line of lot 23, two hundred twenty-two (222) rods more or less to the northwesterly corner of said lot 23 according to said plan; thence southerly on the division line between lots 58 and 23 according to said plan thirty (30) rods more or less to the generally southerly line of said lot 58 according to said plan; thence southwesterly on and by the generally southerly line of said lot 58 and continuation thereof crossing said Bangor Road, so called, forty-five (45) rods more or less to a point on the northerly line of lot 59 and the westerly line of said Bangor Road according to said plan; thence southerly on and by the generally westerly line of the Bangor Road, so called, one hundred sixty (160) rods more or less to the bounds begun at.

The above parcel of land comprises the following lots conveyed to Harold M. Saddlemire by Hillard C. Schoppe by deed dated July 15, 1925, recorded in Hancock registry of deeds Vol. 596, Page 12, viz: Parcel 1. Fitt's Mill Lot, so called, containing 100 acres more or less. Parcel 2. Lot 57 according to John Temple's survey of 1831, called the Mountain Lot, being also lot 57, according to said Hagan's plan, containing 62 acres more or less. Parcel 3. Lot 58 according to said Temple's survey and also Hagan's plan, containing 38 acres more or less. Parcel 4. Lot 59 according to said Temple's survey and also Hagan's plan, containing 40 acres more or less. Parcel 5. Lot 23 and lot to the east of lot 56 according to said Temple's survey and also Hagan's plan, known as the Mann lots, containing 275 acres more or less.

Excepting and reserving, however, from the above described premises, so much of the Bangor Road, so called, leading from Bangor to Ellsworth, as lies within the bounds of or adjoins the above described land or any part thereof. Also excepting and reserving from the above described premises so much of the Cemetery Lot as lies within the bounds of lot 59 and the Fitt's Mill lot, so called, according to said plans above referred to.

Also another certain lot or parcel of land situate in the Town of Dedham, county of Hancock and state of Maine, bounded and described as follows, viz: beginning at a point in the easterly line of the road leading from Bangor to Ellsworth, commonly known as the Bangor Road, and on the generally southerly line of Dutton (or John P. Webber) lot, so called, thence about South 81° East two hundred eighty-seven (287) rods more or less to a stake and stones; thence about North 9° East three hundred twenty (320) rods more or less to a stake and stones on the north line of the seventh range; thence about South 81° East following the north line of the seventh range sixty (60) rods more or less to the westerly line of the third parcel of land conveyed by one Arey et als., to the grants by deed dated June 4, 1868, recorded in Hancock registry of deeds Vol. 129, Page 520, said westerly line being an irregular line following the summit of a ridge dividing the Mountain Pond water shed from the Green Lake (or Reeds Pond) water shed; thence northerly following said irregular line two hundred ninety-one (291) rods more or less to the generally southeasterly corner of the Stockwell lot, so called, according to a plan of the Town of Dedham made by Ira B. Hagan in 1913; thence about North 9° East on the westerly line of lot 15 and lot 14 according to said Hagan plan, one hundred forty (140) rods more or less to the division line between lots 9 and 10, according to said plan; thence about North 81° West following the division line between lots 9 and 10 according to said plan one hundred sixty (160) rods more or less to the southwesterly corner of lot 10; thence about North 9° East following the generally westerly line of lots 10 and 11 eighty (80) rods more or less to the southwesterly corner of lot 12 and the southeasterly corner of lot 13, according to said plan; thence about North 81° West on and by the southerly line of lot 13 and lot 7 one hundred twenty-five (125) rods more or less to the northwesterly corner of lot 1 and the northeasterly corner of lot 2 according to said plan; thence about South 9° West following the division line between lots 1 and 2, according to said plan one hundred sixty (160) rods more or less to the northerly line of the Stockwell lot, so called, according to said plan; thence about North 81° West following the northerly line of said Stockwell lot and the southerly line of lots 2, 3 and 4 all according to said plan one hundred twenty (120) rods more or less to the generally easterly line of lot 26 according to said plan, for-

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merly owned or occupied by J. Phillips, Jr., and now owned or occupied by John Hill; thence southerly following the generally easterly line of lot 26 and the generally easterly line of lot 27, said lot 27 being formerly owned or occupied by William Phillips, one hundred twenty-one (121) rods more or less to the southeasterly corner of said lot 27 according to said plan; thence about North 81° West on and by the generally southerly line of lot 27 according to said plan two hundred thirty-eight (238) rods more or less to the generally westerly line of the Bangor Road, so called, leading from Bangor to Ellsworth; thence northerly on and by the westerly line of the Bangor Road, so called, sixty (60) rods more or less to the northerly line of said lot 27, according to said plan; thence westerly on the northerly line of lot 27 to the generally easterly shore of Phillips Lake; thence southerly on and by the generally easterly shore of Phillips Lake seven hundred (700) rods more or less to the northerly line of the ninth range; thence about South 81° East on and by the northerly line of said ninth range seventy (70) rods more or less to the point of beginning.

The above last described parcel of land comprises the following lots of land conveyed to Harold M. Saddlemire as follows: Shirley M. Sweet to Harold M. Saddlemire by deed dated Nov. 20, 1925, recorded in Hancock registry of deeds, Vol. 597, Page 561; George E. Langley to Harold M. Saddlemire by deed dated Sept. 19, 1925, recorded in said registry Vol. 596, Page 371; and the following lots of land conveyed to Harold M. Saddlemire by Hillard C. Schoppe as appears in deed dated July 15, 1925, recorded in said registry Vol. 596, Page 12, viz: Parcel 25. The Freese lot, so-called, lying westerly of the Bangor Road, bounded northerly by the Lake House lot and southerly by the north line of the ninth range and north line of lot one and the north line of lot 2, said lots being situate southerly and easterly of Phillips Lake, containing 88 acres more or less. Parcel 26. The Dutton or John P. Webber lot, containing 718 acres more or less. Parcel 27. Being part of Wilkes part of the Winslow Tract, so-called, lying east of the Bangor Road, so-called, bounded southerly by the Dutton or John P. Webber lot, so-called, containing 800 acres more or less. Parcel 28. Being lot 28 according to said plan, formerly owned by Peter Phillips and containing 46 acres more or less. Parcel 29. Parcel of land lying easterly of and southerly of lot 28 according to said plan, bounded westerly in part by the Bangor Road, so-called, containing 100 acres more or less. Parcel 30. The Stockwell lot, so-called, according to said plan, bounded southerly by the Wilkes part of the Winslow tract, containing 165 acres more or less. Parcel 31. Comprises Public lot 1, bounded southerly by the Stockwell lot and easterly by the Hathaway lot, containing 45 acres more or less. Parcel 32. Comprises Public lots 8 and 9, bounded westerly by the Hathaway lot, southerly by the Stock-

well lot, so-called, easterly by lots 14 and 15, according to said plan, said lots containing together 80 acres more or less. Parcel 33. Being the Hathaway lot, so-called, containing 80 acres more or less bounded easterly by the westerly line of Public lots 8, 9, 10 and 11, southerly by the Stockwell lot, so-called. Parcel 34. Lake House property, so-called, lying on the westerly side of the Bangor Road, so-called, and extending to Phillips Lake, containing 89 acres more or less. Parcel 36. The last described parcel of land in said deed from Schoppe to Saddlemire, containing 10 acres more or less.

Excepting and reserving from the above described premises the following described parcel of land conveyed by Arno G. Hooper to Parker and Pearl by deed dated May 25, 1892, recorded in said registry Vol. 263, Page 296, said Parker and Pearl land being commonly known as Pearl Point. Also excepting and reserving from the above described premises a parcel of land conveyed by Vondel L. Hooper and Ernest W. Burrill to Arno G. Hooper by deed dated Sept. 9, 1921, recorded in said registry Vol. 562, Page 259, said parcel of land contains 6 acres more or less. Also excepting and reserving from the above described premises the following cottage lots, as excepted in a deed from George E. Langley to Harold M. Saddlemire dated Sept. 19, 1925, viz: a strip of land sixty (60) feet in width southerly of and adjoining the north line of said parcel and extending from Phillips Lake to the westerly line of the location of the Maine Shore Line (or Maine Central) Railroad; also a small cottage lot conveyed by Cornelius Daley to Irving Doyle by deed dated July 2, 1917, recorded in said registry Vol. 535, Page 546; also a small cottage lot conveyed by Cornelius Daley to William E. Irish by deed dated July 2, 1917, recorded in said registry Vol. 535, Page 547, also a parcel of land conveyed by George E. Langley to Joseph E. Drinkwater by deed dated May 8, 1924, recorded in said registry Vol. 596, Page 343. The last four lots excepted and reserved as aforesaid are small cottage lots lying between the westerly shore of Phillips Lake and the westerly line of the location of the Maine Shore Line (or Maine Central) Railroad, so called. Also excepting and reserving from the above described premises a small cottage lot lying between the westerly shore of Phillips Lake and the westerly line of the location of the Maine Shore Line (or Maine Central) Railroad, see deed from Hooper to Rideout recorded in said registry, Vol. 400, Page 282. Also excepting and reserving, however, from the above described premises, so much of the Bangor Road, so called, leading from Bangor to Ellsworth as lies within the bounds of or adjoins the above described premises or any part thereof.

Also another certain lot or parcel of land situate in the Town of Ded-

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ham, county of Hancock and state of Maine, bounded and described as follows, viz: beginning at a point on the easterly line of the road leading from Bangor to Ellsworth, commonly known as the Bangor Road, and on the generally southerly line of Dutton (or John P. Webber) lot, so called, said southerly line also being the northerly line of the ninth range in the town of said Dedham; thence about South 81° East two hundred eighty-seven (287) rods more or less to a stake and stones; thence about South 9° West following the easterly line of the John P. Phillips meadow lot, so called, containing two hundred (200) acres more or less and being parcel 35 as appears in deed from Hillard C. Schoppe to Harold M. Saddle-mire dated July 15, 1925, recorded in the Hancock Registry of Deeds Vol. 596, Page 12, one hundred sixty (160) rods more or less to a stake and stones at the southeasterly corner of said Phillips meadow lot, so called; thence about North 81° West on the southerly line of said Phillips meadow lot, so called, and the northerly line of a lot of land formerly owned or occupied by M. Mann about three hundred twenty (320) rods more or less to the northwesterly corner of said M. Mann lot; thence about South 9° West on the westerly line of the M. Mann lot, so called, one hundred (100) rods more or less to the southwest corner of said Mann lot being the southeasterly corner of the Jarvis or Webber lot, so called, according to a plan of the Town of Dedham made by Ira B. Hagan in 1913; thence southeasterly on the generally southerly line of the M. Mann lot, so called, and on the northerly line of the Robert Johnson forty-eight acre lot, so called, one hundred four (104) rods more or less to the northeasterly corner of said Johnson lot; thence South 15° East formerly, eighty-eight (88) rods more or less to the southeasterly corner of said Johnson forty-eight acre lot and the northerly line of the Johnson fifty acre lot, so called, thence about South 81° East on the northerly line of the Johnson fifty acre lot, so called, fifty (50) rods more or less to the northeasterly corner thereof; thence southerly on and by the easterly line of the Johnson fifty acre lot, so called, one hundred seventy-five (175) rods more or less to the southeasterly corner thereof; thence westerly following the southerly line of the said Johnson fifty acre lot fifty (50) rods more or less to the easterly side of the Bangor Road, so called, leading from Bangor to Ellsworth; thence northerly on and by the easterly line of the Bangor Road, so called, one hundred twenty-five (125) rods more or less to the southerly line of the Wilkes lot, so called, continued in an easterly direction across said Bangor Road, said Wilkes lot contains five hundred six (506) acres more or less according to said Hagan plan above referred to and is marked (Wilkes Heirs) on said plan; thence about North 81° West on the southerly line of the Wilkes lot, so called, and the continuation thereof six hundred (600) rods more or less to the westerly line of the third parcel

of land described in a deed from Humphrey, Saunders et als. to C. C. Camber dated April 27, 1898, recorded in said registry Vol. 330, Page 301; thence northerly in the westerly line of said third parcel so conveyed by Saunders to Camber and on and by the westerly line of the first parcel so conveyed by Saunders to Camber two hundred twenty-eight (228) rods more or less to the southerly line of a parcel of land twenty (20) rods in width lying southerly of adjoining lots 6 and 7, said lots 6 and 7 lying southerly and westerly of Phillips Lake according to said plan, said twenty (20) rod strip being bounded easterly by the Jarvis or Webber lot so called, said twenty (20) rod strip being parcel 16 as appears in deed from Hillard C. Schoppe to Harold M. Saddlemire by deed dated July 15, 1925, recorded in Hancock Registry of Deeds Vol. 596, Page 12; thence about North 81° West on the southerly line of said twenty (20) rod strip eighty-four (84) rods more or less to the westerly line of lot 7 according to said plan produced southerly from the southwest corner of lot 7; thence about North 9° East on the westerly line of said lot 7 and continuation thereof one hundred (100) rods more or less to the northwesterly corner of said lot 7, thence about South 81° East on and by the division line between lots 7 and 8 according to said plan one hundred (100) rods more or less to the northeast corner of lot 7 and the easterly line of lot 5 according to said plan; thence northerly on and by the division line between lots 5 and 8 according to said plan seventy-five (75) rods more or less to the northwesterly corner of lot 5 and the southerly line of lot 12 according to said plan now owned or occupied by Michael Quinn; thence easterly on the division line between lots 5 and 12 according to said plan fifty-eight (58) rods more or less to the division line between lots 12 and 13 according to said plan; thence northerly on the division line between said lots 12 and 13 eighty-one (81) rods more or less to the corner formed by lots 12, 13, 14 and the Fitts fifty acre lot, so called; thence westerly on the northerly line of said lot 12 and the southerly line of the Fitts fifty acre lot according to said plan one hundred (100) rods more or less to the northwesterly corner of said lot 12 and the easterly line of lot 11 according to said plan; thence northerly on the easterly line of said lot 11 sixteen (16) rods more or less to the northeasterly corner of said lot 11; thence westerly on the northerly line of lot 11 and lot 9 according to said plan one hundred ten (110) rods more or less to the northwesterly corner of lot 9 and the southwesterly corner of lot 10 according to said plan; thence northwesterly on the northerly line of a parcel of land formerly owned or occupied by Asa Burrill thirty-seven (37) rods more or less to Allen Brook, so called; thence northeasterly along said Allen Brook two hundred twenty-five (225) rods more or less to the southwesterly corner of the twelfth parcel of land described in a deed from Ella L. Burrill to

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John C. McFaul et als. dated April 26, 1917, recorded in said registry Vol. 535, Page 260; thence continuing northeasterly along said Allen Brook seventy-five (75) rods more or less to a spotted spruce tree on said Allen Brook; thence northeasterly fifteen (15) rods more or less to a cedar stake; thence northeasterly seventy-five (75) rods more or less to the outlet of Hurd Pond, so called, thence westerly following the northerly shore of Hurd Pond so called, sixty (60) rods more or less to the southwesterly corner of lot 5 according to said plan, said lot 5 lying northerly of and adjoining Hurd Pond, also lying westerly of and adjoining the southerly end of the narrows of Phillips Lake; thence North 42° East formerly on and along the westerly side of said lot 5 one hundred nineteen (119) rods more or less to the northwesterly corner of lot 5 and the southerly line of lot 7; thence about North 70° West on the southerly line of lot 7 and on the southerly line of lot ninety-three (93) rods more or less to the northwesterly corner of the west half of lot 4 and an angle in the southerly line of lot 8 according to said plan; thence about North 20° East formerly sixty-five (65) rods more or less to a stake and stones; thence about South 70° East one hundred sixty (160) rods more or less to the generally westerly shore of Phillips Lake; thence in a generally southerly and easterly direction following the westerly and southerly shore of Phillips Lake and thereafter the northerly line of the Ninth Range, sixteen hundred fifty (1650) rods more or less to the bound begun at. Also all the islands in Phillips Lake, containing 50 acres more or less and being parcel 24 as appears in a deed from Hillard C. Schoppe to Harold M. Saddlemire dated July 15, 1925, recorded in said registry Vol. 596, Page 12.

The above last described parcel of land comprises the following lots of land conveyed to Harold M. Saddlemire as follows: Edgar Dauphinee to Harold M. Saddlemire, two parcels of land lying westerly of and adjoining Phillips Lake by deed dated Nov. 21, 1925, recorded in said registry Vol. 597, Page 563; Charles W. Meade to Harold M. Saddlemire by deed dated Mar. 17, 1926, recorded in said registry Vol. 601, Page 103, said lots lying westerly of and adjoining the westerly lines of the Jarvis or Webber lot and the Wilkes lot according to Hagan's plan above referred to; George R. Hagerthy to Harold M. Saddlemire by deed dated Feb. 2, 1926, recorded in said registry of deeds Vol. 599, Page 397, this deed conveys the northeasterly half part of a parcel of land lying on the westerly shore of Phillips Lake, said whole lot containing one hundred twenty-five (125) acres more or less. Also the following lots of land conveyed to Harold M. Saddlemire by Hillard C. Schoppe as appears in a deed dated July 15, 1925, recorded in said registry Vol. 596, Page 12. Parcel 6. Lot 5 lying north of Hurd Pond and west of Phillips Lake, containing $57\frac{1}{2}$ acres more or less. Parcel 7. Lot 6 lying on the westerly side of Phillips Lake at

the southerly end of the narrow part of said lake northerly of and adjoining Hurd Brook, so-called, containing 65 acres more or less. Parcel 8. Lot known as the Chase lot, lying northerly of and adjoining lots 5 and 4 according to said Hagan's plan, containing 70 acres more or less. Parcel 9. Lying westerly of and adjoining the Bangor Road, so-called, being all or a portion of lot 1 according to said Hagan's plan, near the southeasterly end of Phillips Lake, containing $69\frac{1}{2}$ acres more or less. Parcel 10. Lying westerly of and adjoining lot 1 above mentioned, bounded southerly by the Jarvis or Webber lot, so-called, northerly and westerly by Phillips Lake, being lot 2 according to said Hagan's plan, containing 127 acres more or less. Parcel 11. Lying westerly of and adjoining lot 2, above mentioned, bounded southerly by the Jarvis or Webber lot, so-called, and northerly by the most southerly part of Phillips Lake, being lot 3 according to said Hagan's plan, containing 68 acres more or less, according to said plan. Parcel 12. Lying westerly of and adjoining lot 3, above mentioned, bounded southerly by the Jarvis or Webber lot, so-called, and the easterly by Phillips Lake, being lot 4 according to said Hagan's plan, containing 53 acres more or less. Parcel 13. Bounded easterly by lot 4 and southerly by lot 6, being lot 5 according to said Hagan's plan, containing 53 acres more or less. Parcel 14. Bounded easterly by lot 4 and southerly in part by the Jarvis or Webber lot, so-called, being lot 6 according to said Hagan's plan, containing 47 acres more or less. Parcel 15. Lying westerly of and adjoining lot 6, bounded southerly by the Settler's lot, so-called, northerly by lot 8, being lot 7 according to said Hagan's plan, containing 50 acres more or less. Parcel 16. Bounded northerly by lots 6 and 7 according to said Hagan's plan easterly by the Jarvis or Webber lot, so-called, being a parcel of land twenty (20) rods in width lying between the Jarvis and Webber lot and the westerly line of lot 7, produced south. Parcel 17. Bounded easterly by Phillips Lake southerly by lots 4 and 5 westerly by lot 12, now owned or occupied by Michael Quinn, being lot 13, according to said Hagan's plan, containing 54 acres more or less. Parcel 18. Bounded southerly by said lot 13, easterly and northerly by Phillips Lake, being lot 14 according to said Hagan's plan, containing 62 acres more or less. Parcel 19. Bounded easterly by Phillips Lake and lot 14, above referred to, southerly by lot 12 now owned or occupied by Michael Quinn, westerly by lot 10, being the Fitts 50 acre lot, so-called, marked (Fitts 50 acres flowed land W & E) on said Hagan's plan, containing 50 acres more or less. Parcel 20. The Jarvis or Webber lot, so-called, bounded easterly by the Mann lot, so-called, southerly by the Wilkes lot, so-called, according to said Hagan's plan, containing 290 acres more or less. Parcel 21. The Wilkes lot, so-called, lying southerly of and adjoining the Jarvis or Webber lot, so-called, bounded easterly by

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the Johnson lot, so-called, and the Bangor Road, and southerly by a parcel of land now or formerly owned or occupied by the Bacon & Robinson Wood Co., containing 506 acres more or less and being all in accordance with said Hagan's plan. Parcel 22. Being the northerly parcel of land of the Johnson property, so-called, bounded northerly by the Mann lot, so-called, westerly by the Wilkes lot, so-called, and southerly in part by the Wilkes lot, so-called, containing 48 acres more or less. The Bangor Road passes through the easterly side of said lot and lot is marked (Johnson W & E) on said Hagan's plan. Parcel 23. Lying easterly of and adjoining the Bangor Road, so-called, bounded northerly in part by the last above described parcel of land containing 50 acres more or less. The road to Green Lake crosses this lot according to said Hagan's plan. Parcel 24. All the islands in Phillips Lake, containing 50 acres more or less. Parcel 35. Lying easterly of and adjoining the Bangor Road, bounded northerly by the Dutton or John P. Webber lot, and the northerly line of the Ninth Range in said Dedham, containing 200 acres more or less commonly known as the John P. Phillips meadow lot.

Excepting and reserving, however, from the above described premises all that part of the Bangor Road, so-called, leading from Bangor to Ellsworth, as lies within the bounds of, or adjoins the above described premises or any part thereof. Also excepting and reserving from the above described premises the southwesterly half of parcel 12 as appears in a deed from Ella L. Burrill to John C. McFaul et als, dated April 26, 1917, recorded in said registry Vol. 535, Page 260, the whole of lot 12 is estimated to contain 125 acres more or less. Also excepting and reserving from the above described premises, out of the parcel of land conveyed by Edgar Dauphinee to Harold M. Saddlemire, two cottage lots, lying westerly of and adjoining the westerly shore of Phillips Lake as follows, Edgar Dauphinee to Doris C. Treat by deed dated July 13, 1925, recorded in said registry Vol. 595, Page 259, Edgar Dauphinee to Joseph Lunt by deed dated July 1, 1922, recorded in said registry Vol. 597, Page 323. Also excepting and reserving from the above described premises, out of the parcel of land conveyed by George R. Hagerthy to Harold M. Saddlemire the following cottage lots situated on and adjoining the westerly shore of Phillips Lake as follows: George R. Hagerthy to C. M. Rogers by deed dated Dec. 21, 1920, recorded in said registry Vol. 558, Page 190; George R. Hagerthy et als. to David N. Beach by deed dated Dec. 7, 1921, recorded in said registry Vol. 564, Page 300.

Also excepting and reserving from the above described premises, a certain cottage lot lying on and adjoining the westerly shore of Phillips Lake conveyed by Hadley P. Burrill to Joseph Lunt by deed dated Dec. 26, 1913, recorded in said registry Vol. 533, Page 530.

Also excepting and reserving from the above described premises a certain cottage lot situate on and adjoining the westerly shore of Phillips Lake conveyed by Ella L. Burrill to Percy Sawyer by deed dated Jan. 17, 1917, recorded in said registry Vol. 537, Page 57.

It is intended by the above description to include all that territory within the radius of the extreme points therein described in respect to each parcel of land therein described, as each such parcel of land is therein described; and to exclude all premises which are specifically reserved and excepted by and in the above description.

Any other land in said town of Dedham adjacent and contiguous to the territory included in and by the above description or to any part thereof which may hereafter be purchased by Lucerne-in-Maine Community Association, a Maine corporation, shall become include in and form a part of said territory for all intents and purposes of this act and in every manner and respect as if herein specifically described.

Sec. 3. Location. The place of business of said corporation shall be at Dedham, in the county of Hancock.

Sec. 4. Authorized to take water and maintain dams, reservoirs, etc. For any of the purposes aforesaid the said corporation is hereby authorized to take and use water from any spring or springs, lakes and ponds situated wholly or in part within the territory above described or contiguous thereto, and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, wells, buildings, machinery, lines of pipe, aqueducts, structures and appurtenances.

Sec. 5. Authorized to lay and maintain pipes and to cross water courses and sewers. The said corporation is hereby authorized to lay, construct and maintain its lines of pipe within the territory above described, and to build and maintain all necessary structures therefor, at such places as shall be necessary for the said purposes of said corporation; and to cross any water course, private or public sewer, or to change the direction thereof, when necessary for the said purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury caused.

Sec. 6. Authorized to lay pipes through public ways; authority to cross railroads; construction in streets and roads to be done without unnecessary delay to public travel. The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, streams, rivers and bridges in said territory and in, through, under, along, over and across any public highway not

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included within said described territory but which may be adjacent and contiguous to said territory or any part thereof, and to take up, replace and repair, all such aqueducts, sluices, pipes and other structures and fixtures, as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as the overseers of Lucerne-in-Maine Village Corporation may impose as respects any of the territory included in said village corporation, and as the selectmen of the town of Dedham may impose as respects only any public highway in said town not included within the territorial limits of said village corporation; and in case of the crossing of any railroad, unless consent is given by the company owning or operating such railroad as to place, manner and conditions of the crossing, within thirty days after such consent is requested by said water company, the public utilities commission shall determine the place, manner and conditions of all such crossings, and all work done within the limits of such railroad location shall be done under the supervision and to the satisfaction of such railroad company, but at the expense of said water company, and the said water corporation shall be responsible for all damages to the said town of Dedham and to all corporations, persons, and property, occasioned by such use of the highways, ways and streets. Whenever the said corporation shall lay down or construct any pipes or fixtures in any highway, way or street or make any alteration or repair upon its works, in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall, at its own expense, without unnecessary delay, cause the earth and pavement then removed by it, to be placed in proper condition.

Sec. 7. Right of eminent domain conferred. The said corporation is hereby authorized to take and hold by purchase or otherwise any land necessary for flowage, and also for its drains, reservoirs, gates, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, lines of pipe, and other necessary structures or fixtures, in, over and through such land for such location, construction and erection. And in general said corporation is authorized to do any act necessary, convenient or proper for carrying out any of the said purposes of incorporation. It may enter upon such land to make surveys and locations, and shall file in the registry of deeds in the county of Hancock plans of such locations and lands, showing the property taken, and within thirty days thereafter publish notices of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by more than one line of pipe or aqueduct.

Sec. 8. Procedure when corporation and land owner fail to agree on damages. Should the said corporation and the owner of such land be unable to agree upon the damage to be paid for such location, taking, holding, flowing and construction, the land owner or said corporation may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Hancock, and cause such damages to be assessed in the same manner and under the same conditions as are prescribed by law in the case of damages by the laying out of highways, as far as such law is consistent with the provisions of this act. If said corporation shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county of Hancock, the said location shall be thereby invalid, and the said corporation shall forfeit all rights under the same against such land owner. In case the said corporation shall begin to occupy such land before the rendition of final judgment the land owner may require the said corporation to file its bond to him with the said county commissioners, in such sum and with such sureties as they may approve, conditioned for said judgment or deposits. No action shall be brought against said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforesaid.

Sec. 9. Water rights damages, how assessed. Any person suffering damage by the taking of water by said company as provided by this act, may have his damage assessed in the same manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment and a tender by said company may be made with the same effect as in the preceding section.

Sec. 10. Corporation authorized to make contracts for supply of water. The said corporation is hereby authorized to make contracts with the United States, the state of Maine, county of Hancock, the town of Dedham in said county, and with Lucerne-in-Maine Village Corporation and with the inhabitants and property owners thereof and therein, or any person, firm or corporation doing business therein or water district, for the supply of water for any and all the purposes contemplated in this act; and the said town of Dedham, or village corporation, by its proper officers, is hereby authorized to enter into any contract with the said corporation for a supply of water for any and all purposes mentioned in this act, and in consideration thereof to relieve said corporation from such public burdens by abatement or otherwise as said town, village corporation or water

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district may agree upon, and said contract shall be legal and binding upon all parties thereto. It is not intended that this section shall preclude said town or village corporation from paying or rendering to said corporation hereby created money or other considerations in consideration for such contracts, which said town and village corporation are hereby expressly authorized to do.

Sec. 11. Corporation authorized to lease or purchase property of certain other corporations; rental or purchase price subject to approval of public utilities commission. The said corporation is hereby authorized to lease or purchase from Lucerne-in-Maine Country Club, or from Lucerne-in-Maine Community Association, a Maine corporation with an established place of business at Bangor, in the county of Penobscot, state of Maine in its own stead or as trustee for any other persons, associations or corporations, all or any drains, reservoirs, gates, buildings, structures, lines of pipes, engines, pumps, hose, storage tanks, buildings, materials, equipment and machinery, plans, surveys and engineers' reports, which said Lucerne-in-Maine Country Club or said Lucerne-in-Maine Community Association in its own stead or as such trustee, has heretofore purchased, paid for or in any manner acquired for the purpose of or in connection with the supplying and distribution of water within the territory herein described, or any part thereof. And said water corporation is hereby also authorized to lease or purchase from Lucerne-in-Maine Country Club or from Lucerne-in-Maine Community Association in its own stead or as said trustee, such land, springs, brooks, lakes and ponds, or parts thereof as may be necessary or convenient for the purposes of said water corporation. In every case the price of rental or purchase, as the case may be shall be fixed or agreed upon by the two interested corporations, subject to the approval of the public utilities commission of this state.

Sec. 12. May establish rates subject to approval of public utilities commission. Said corporation is hereby authorized to establish, maintain and collect rates of money for the supplying of water for the purposes herein mentioned, subject in every respect to the approval of the public utilities commission of this state.

Sec. 13. Capital stock. The capital stock of said corporation shall be fifty thousand dollars all of which shall be common stock divided into shares of one hundred dollars each.

Sec. 14. May issue bonds subject to approval of public utilities commission. The said corporation, subject to the approval of the public utilities commission, may issue its bonds for the acquiring of its property, real or personal, and for the construction of its works, plant and equip-

ment of any and all kinds, upon such rates, terms and time as it may deem expedient to an amount not exceeding its capital stock subscribed for or issued and outstanding and may secure same by mortgage of its franchise and property.

Sec. 15. Authorized to hold property. The said corporation, for all its said purposes, may hold real and personal property necessary and convenient therefor.

Sec. 16. First meeting of corporation, how called. The first meeting of the corporation shall be called by a written notice therefor, signed by any two of the named incorporators, served upon each named incorporator by giving him the same in hand, or by leaving same at his last and usual place of abode, or by mailing same to his last known address, postage prepaid, at least seven days before the time of meeting, or by publishing said notice in some newspaper published in the county of Hancock aforesaid.

Sec. 17. By-laws to be adopted at first meeting. At the first meeting of the corporation, the incorporators shall adopt a set of by-laws which shall provide for the general conduct of the business and affairs of the company, the officers which the company shall have and the powers, duties and responsibilities of each, together with their compensation, if any, in what manner they shall be elected and the tenure of the respective offices of each. The by-laws shall among other things provide for the changes and amendment thereof by the stockholders. Such by-laws including such changes in or amendments thereto as may be made shall govern and control the conduct and affairs of the company, its officers, agents, servants and employees.

Sec. 18. Existing statutes not affected; subject to provisions of R. S., c. 55. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute, and all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes, and acts amendatory and additional thereto.

Sec. 19. Emergency clause. In view of the emergency set forth in the preamble, this act shall take and have complete effect in all its parts when approved by the governor.

Approved March 23, 1927.