

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
1965

Chapter 118

AN ACT Relating to Authority of Water Companies to Acquire Property.

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

Sec. 1. R. S., T. 35, § 324I, amended. Section 324I of Title 35 of the Revised Statutes is amended by adding at the end, a new paragraph, to read as follows:

'Water companies may exercise the right of eminent domain for obtaining sources of supply and locations for storage and for the protection thereof and locations for transmission and distribution of water to the public under this chapter and chapter 265.'

Sec. 2. R. S., T. 35, § 329I, amended. Section 329I of Title 35 of the Revised Statutes is amended to read as follows:

§ 329I. Necessity of taking determined

The owner of property which is the subject of appropriation for public purposes by any water district or any water company may, upon hearing, have the necessity of the particular appropriation determined by the Public Utilities Commission.'

Sec. 3. R. S., T. 35, § 3294, amended. Section 3294 of Title 35 of the Revised Statutes is amended to read as follows:

§ 3294. Condemnation proceedings by district or water company

Upon the commencement of condemnation proceedings, the district or water company seeking to thus acquire property, unless otherwise provided by law, may file a petition asking that the necessity of such taking may be determined, whereupon proceedings shall be had as in the case of a petition by the landowner.'

Effective September 3, 1965

Chapter 119

AN ACT Relating to Trespass on Lands of the University of Maine.

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

R. S., T. 17, § 385I, amended. Section 385I of Title 17 of the Revised Statutes is amended to read as follows:

§ 385I. Lands appurtenant to state institutions

Whoever willfully trespasses upon lands which belong to the State and are appurtenant to the Pineland Hospital and Training Center, Reformatory for Women, Reformatory for Men, Stevens Training Center, Boys Training Center or the Maine State Prison, or whoever shall unlawfully interfere with the inmates of any of said institutions, or, whoever willfully trespasses upon land or buildings of the University of Maine, after notice from an officer of any of said institutions or the University of Maine to leave said lands or buildings, remains

thereon, shall be punished by a fine of not more than \$50 or by imprisonment for not more than 3 months.'

Effective September 3, 1965

Chapter 120

AN ACT Relating to the Validation of Certain Instruments.

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

R. S., T. 33, § 353, amended. Section 353 of Title 33 of the Revised Statutes is amended to read as follows:

'§ 353. Miscellaneous defects

All deeds and other instruments, including powers of attorney, heretofore made prior to January 1, ~~1957~~ 1961 for the conveyance of real property in this State or any interest therein, and otherwise valid except that the same omitted to state any consideration therefor or that the same were not sealed by the grantors or any of them, are validated. Every duly recorded satisfaction piece or instrument made prior to January 1, ~~1957~~ 1961 with intent to cancel and discharge or assign a mortgage of real estate, fully identifying the mortgage so intended to be canceled and discharged or assigned, but not drawn in formal accordance with statutory requirements, shall be held a valid discharge or assignment of such mortgage and a release or assignment of the mortgaged interest in such real estate. All corporations organized or attempted to be organized under and by virtue of any of the statutes of this State more than 20 years prior to January 1, ~~1957~~ 1961, and not heretofore, between April 15, 1927 and January 1, ~~1957~~ 1961 declared to be invalid, shall be held to all intents and purposes as if the same had in all respects been properly and rightfully organized and existing as lawful corporations, and the deeds or other instruments of such corporations organized or attempted to be organized, given in their corporate names, affecting real estate in this State or conveying the same, and heretofore between April 15, 1927 and January 1, ~~1957~~ 1961 recorded, or written out at length upon the books of record in the registry of deeds in the county in which such real estate lies, shall not be held invalid by reason of any lack of authority or informality for or in their execution or delivery, if taken bona fide from the acting officers of such corporation or attempted organization as such, which such taking shall be presumed, but such corporations, attempted organizations as such, with such deeds and their records made as aforesaid, are validated. Any deed or other instrument made for the purpose of conveying real property in this State or any interest therein, and heretofore recorded or spread at length in the books of record in the registry of deeds for the county in which said real property lies, prior to January 1, ~~1957~~ 1961; which said deed or other instrument or said records fail to disclose authority by such corporation for the conveyance of such real estate, or which deed or other instrument fails to bear the corporate seal, or is executed or acknowledged by the person executing such deed in his individual capacity, or which fails to disclose the official capacity of the person executing such deed, or which was not signed by the officer duly authorized to sign such deed, with its record made as aforesaid, is validated. All deeds and other instruments made prior to January 1, ~~1957~~ 1961, for the conveyance of real property in this State, or any interest therein and executed by a person or persons purporting to act as the agent or attorney of the grantors, their spouses, or any of them, which such deeds have been recorded or written at length