

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 343

House of Representatives, March 6, 1919.

Reported by Mr. Allan from Committee on Public Utilities
and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Incorporate the Skowhegan Water District.

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

Section 1. The territory in the town of Skowhegan here-
2 inafter described, and the people within the same, shall
3 henceforth constitute a body politic and corporate under
4 the name of Skowhegan Water District, for the purpose
5 of supplying the inhabitants of said district and other per-
6 sons reasonably accessible as hereinafter provided with
7 pure water for domestic, manufacturing, mercantile and
8 municipal purposes.

The territory of said district shall be that contained with-
2 in the following bounds, viz.: commencing on the east side

3 of Madison avenue, so called, in said Skowhegan, at Cold
4 brook, at a point where the southerly line of the Palmer
5 farm, so called, now owned by Cyrus Newton, intersects the
6 easterly line of said avenue; thence easterly on the southerly
7 line of said Palmer farm to the southeast corner thereof;
8 thence in a straight line to the easterly side of the road
9 leading from Skowhegan to Athens, past the Catholic cem-
10 etery, where it is intersected by the southerly line of the
11 Doctor Mann farm, so called; thence easterly along the
12 southerly line of said Doctor Mann farm to the southeast-
13 erly corner thereof; thence in a straight line to the north-
14 easterly corner of land of the Skowhegan Water Com-
15 pany; thence along the easterly line of land of said water
16 company and continuing the same course to the Kennebec
17 river at the Great Eddy, so called; thence down said river
18 to the westerly line of the farm owned by George N.
19 Weston; thence along the westerly line of said farm to the
20 river road leading to Waterville; thence along the easterly
21 line of Edgewood Park, so called, to the southeasterly
22 corner thereof; thence along the southerly line of said park
23 and land of Joseph Maxwell to the road leading from the
24 river road to Waterville to the middle road to Waterville;
25 thence along said road to the southerly line of the field
26 of Ella M. Pooler; thence westerly along the southerly
27 line of said field to the westerly line thereof; thence north-
28 erly to the run that extends westerly at the foot of the
29 hill south of land of Charles Folsom-Jones; thence along

30 said run crossing the Middle road, so called, at the culvert
31 at the foot of the hill and continuing along said run at
32 the foot of the hill south of land of Henry Varney to
33 Currier brook, so called; thence southerly up said brook
34 to a point in or opposite the south line of the brick-kiln
35 property owned by Horace Purinton & Company; thence
36 along the southerly line of said brick-kiln property to the
37 back road leading to Waterville; thence northerly along
38 said road to the southeasterly corner of land of Louis A.
39 Caswell; thence along the southerly line of said Caswell's
40 land to the southwesterly corner thereof; thence in a
41 straight line parallel with Bloomfield street to the easterly
42 line of land of M. S. Osborne; thence northerly along said
43 Osborne's easterly line, which is near the line of poles of
44 the Central Maine Power Company, to the Kennebec river;
45 thence down said Kennebec river to a point where the line
46 of said Central Maine Power Company's poles crosses to
47 the northerly bank of said river; thence along said line
48 of poles, crossing the highway leading from Skowhegan
49 to Norridgewock, to the southerly line of the Palmer farm,
50 so called; thence easterly along the southerly line of said
51 Palmer farm to the point of beginning.

Sect. 2. Said district for the purposes of its incorporation
2 is hereby authorized to take, hold, divert, use and distribute
3 sufficient water from the Kennebec river or from any lake
4 or pond located wholly or partly in any of the towns of
5 Skowhegan, Canaan, Solon, Athens, Smithfield, Madison

6 or Embden, excepting Hancock pond, and from any river
7 or stream in any of said towns, or from wells or reservoirs
8 therein; provided, however, that no water shall be taken
9 from any source of supply which may be privately owned
10 except by purchase thereof by agreement with the owners,
11 or by the exercise of the right of eminent domain as here-
12 inafter provided.

Sect. 3. Said district is hereby further authorized, for
2 the purposes of its incorporation, to take and hold as for
3 public uses, by purchase or the exercise of the right of
4 eminent domain as hereinafter provided, any land or real
5 estate or water rights in the county of Somerset reason-
6 ably necessary and convenient for the construction and
7 maintenance of dams, for flowage, for power, for pumping
8 its water supply through its mains, for reservoirs, for pre-
9 serving the purity of the water and water-shed, for lay-
10 ing and maintaining aqueducts and other structures and
11 equipment, for taking, distributing, purifying, discharging
12 and disposing of water, and for rights of way or road-
13 ways to its sources of supply, dams, power stations, reser-
14 voirs, mains, aqueducts, structures and lands.

In case of the crossing of any railroad, unless consent
2 is given by the company owning or operating such rail-
3 road as to place, manner and conditions of the crossing,
4 within thirty days after such consent is requested by said
5 water district, the public utilities commission shall deter-
6 mine the place, manner and conditions of all such cross-

7 ings, and all work done within the limits of such railroad
8 location shall be done under the supervision and to the
9 satisfaction of such railroad company, but at the expense
10 of said water district.

Sect. 4. Said district shall be liable for all damages that
2 shall be legally sustained by any person or corporation
3 in their property by the taking of any land whatsoever,
4 or by flowage, or by excavating through any land for the
5 purpose of laying pipes, building dams or constructing
6 reservoirs. If any person sustaining damage as aforesaid
7 and said corporation shall not mutually agree upon the
8 sum to be paid therefor, such person may cause his dam-
9 ages to be ascertained in the same manner and under the
10 same conditions, restrictions and limitations as are or may
11 be prescribed in the case of damage resulting from the
12 laying out of highways.

Sect. 5. Said district is hereby authorized to lay in and
2 through the streets and highways thereof, and of any town
3 way or highway in the county of Somerset, and to take
4 up, repair and replace, all such pipes, aqueducts and fix-
5 tures as may be necessary for the objects above set forth,
6 and whenever said district shall lay any pipes or aque-
7 ducts in any street or highway it shall cause the same to
8 be done with as little obstruction as possible to the public
9 travel, and shall at its own expense without unnecessary
10 delay cause the earth and pavement removed by it to be
11 replaced in proper condition.

Sect. 6. Said district may supply water for any of the 2 purposes of its incorporation to such persons or corpo- 3 rations outside the geographical limits of the district as 4 in the judgment of its trustees are reasonably accessible 5 to its mains, and can be profitably and economically served 6 without detriment to the interests of the district.

Sect. 7. All the affairs of said district shall be managed 2 by a board of trustees composed of three members, to be 3 elected by the legal voters of said district upon recom- 4 mendation by the selectmen of the town of Skowhegan as 5 hereinafter provided. At least seven days before the date 6 hereinafter fixed for the holding of a meeting of the dis- 7 trict for such purpose, said selectmen, or a majority of 8 their board, shall post in some public and conspicuous 9 place within the district, the names of three qualified voters 10 of said district recommended by them for trustees as afore- 11 said, to be voted for at such meeting, and the names of 12 the persons so recommended shall be submitted to a meet- 13 ing of the voters of said district to be called, advertised 14 and conducted in the same manner as meetings of the voters 15 of said town of Skowhegan. The first meeting for such 16 purpose shall be specially called and held on the fourth 17 Tuesday of July, nineteen hundred and nineteen. Each 18 person so recommended shall be voted upon separately, 19 and the voters shall indicate their choice by written or 20 printed ballots to be furnished by the municipal officers 21 of the town of Skowhegan at the expense of the district,

22 ballots with the word “yes” to be used for the approval
23 of a recommendation, and those with the word “no” for
24 rejection. If said persons so recommended shall be elected
25 by a plurality vote of the qualified voters present and
26 voting at such meeting, they shall be declared elected by
27 the municipal officers of Skowhegan, and due certificate
28 thereof filed with the town clerk of said town. If any
29 one or more shall fail of election, the selectmen shall make
30 new recommendations in similar manner to the voters of
31 said district at said meeting, to be immediately voted upon,
32 and this course shall be followed until the required number
33 have been chosen, when the persons finally chosen shall
34 be declared elected and certificates of election issued as
35 above provided.

The term of office of said trustees shall be three years,
2 except that of the trustees chosen at the first election one
3 shall serve for one year, one for two years, and one for
4 three years, their respective terms to be determined by
5 lot as hereinafter provided. The term of office of said
6 trustees shall begin on said fourth Tuesday of July. As
7 soon as convenient after the members of said board have
8 been chosen, said trustees shall hold a meeting at the
9 selectmen’s office in said town of Skowhegan and organize
10 by the election of a president and clerk, adopt a corporate
11 seal, and when necessary may choose a treasurer and all
12 other needful officers and agents for the proper conduct
13 and management of the affairs of said district. The treas-

14 urer shall be required to furnish an adequate bond for the
15 protection of said district. The trustees may also ordain
16 and establish such by-laws as are necessary for their own
17 convenience and the proper management of the affairs of
18 said district. At said first meeting the trustees so elected
19 shall determine by lot the term of office of each trustee
20 so that one trustee shall retire each year, and whenever
21 the term of office of a trustee expires his successor shall
22 be chosen in the same manner as at the first meeting, upon
23 recommendation by the selectmen of said town by the
24 voters of said district, at a meeting thereof to be called
25 and held as town meetings are called and held, on the
26 fourth Tuesday of July in each year. The trustees so
27 elected shall serve the full term of three years; and in case
28 a vacancy arises in the membership of the board of trustees
29 it shall be filled in like manner for the unexpired term,
30 at a special meeting of the voters of the district to be called
31 by the municipal officers of Skowhegan. All such trustees
32 shall be eligible to re-election, but no municipal officer of
33 the town of Skowhegan shall be eligible to election as
34 trustee.

Said trustees may procure an office and incur such ex-
2 penses as may be necessary. Each member shall receive
3 in full compensation for his services the sum of five dol-
4 lars for each and every regular and special meeting of the
5 board at which he is in attendance.

At the close of each fiscal year the trustees shall make

2 a detailed report of their doings, of the receipts and ex-
3 penditures of said water district, of its financial and physi-
4 cal condition, and of such other matters and things per-
5 taining to said district as shall show the inhabitants of
6 said district how said trustees are fulfilling the duties and
7 obligations of their trust, such reports to be made and
8 filed with the municipal officers of the town of Skowhegan
9 on or before the first day of February in each year. The
10 report of said trustees shall be printed by the municipal
11 officers of the town of Skowhegan in their yearly report.

Sect. 8. Said water district is hereby authorized and
2 empowered to acquire by purchase or by the exercise of
3 the right of eminent domain, which right is hereby ex-
4 pressly delegated to said district for said purpose, the
5 entire plant, properties, franchises, rights and privileges
6 of the Skowhegan Water Company, except its cash assets
7 and accounts receivable, including all lands, waters, water-
8 rights, dams, structures, reservoirs, pipes, machinery, fix-
9 tures, hydrants, tools and all apparatus and appliances
10 owned by said company and used or usable in supplying
11 water in said district. Said water company is hereby au-
12 thorized to sell and transfer its franchises, properties, rights
13 and privileges to said water district.

Sect. 9. In case said trustees fail to agree with said
2 Skowhegan Water Company upon the terms of purchase
3 of the above-mentioned property on or before November
4 1, nineteen hundred and nineteen, said water district

5 through its trustees is hereby authorized to take said
6 plant, property and franchises as for public uses by peti-
7 tion therefor in the manner hereinafter provided. Said
8 water district through its trustees is hereby authorized,
9 on or before December first, nineteen hundred and nine-
10 teen, to file a petition in the clerk's office of the supreme
11 judicial court for the county of Somerset, in term time
12 or in vacation, addressed to any justice of said court, who
13 after notice to said Skowhegan Water Company and its
14 mortgagees, shall after hearing and within sixty days after
15 the filing of said petition appoint three disinterested ap-
16 praisers, none of whom shall be residents of the county
17 of Somerset, one of whom shall be learned in the law, for
18 the purpose of fixing the valuation of said plant, property
19 and franchises.

At the hearing aforesaid upon the petition of said trus-
2 tees, such justice of the supreme judicial court, upon mo-
3 tion of the petitioner, may order the production and filing
4 in court, for the inspection of the petitioner, of all books
5 and papers pertinent to the issues to be heard by said
6 appraisers, the terms and conditions of such production
7 to be determined by said justice in his order therefor and
8 to be enforced from time to time as any justice of said
9 supreme judicial court, in term time or in vacation, upon
10 motion of either party, may deem reasonable and proper
11 in the premises. At such hearing, such justice, upon mo-
12 tion of the petitioner, may fix a time at which the defend-

13 ant water company shall file in the clerk's office of the
14 supreme judicial court for the county of Somerset, for
15 the inspection of the petitioner, the following: first, a
16 schedule showing the names, residence, street number, if
17 any, and water service of each customer on the first day
18 of November, A. D. 1919, with the rate charged therefor;
19 second, copies of all contracts in force on said first day
20 of November, with all municipal corporations and water
21 companies; third, an itemized statement of the gross in-
22 come earned during its last complete fiscal year and all
23 operating expenses and fixed charges paid or incurred dur-
24 ing such year and properly chargeable thereto; fourth, a
25 memorandum of all real estate, or interest therein, owned
26 or controlled by said water company on said first day of
27 November, with such brief description thereof as will rea-
28 sonably identify the same; fifth, a memorandum of all
29 water-rights used or owned on said first day of November,
30 with a brief description thereof and a concise statement
31 of the method of acquiring the same; sixth, duplicate plans
32 of all dams owned in whole or part on said first day of
33 November, with specifications thereof; seventh, descrip-
34 tions and specifications of all reservoirs and stand-pipes
35 owned on said first day of November; eighth, a descrip-
36 tion of all pipes, service-pipes, hydrants, gates, gate-boxes,
37 shut-off boxes, valves, fixtures and machinery and all the
38 physical elements in such water system, giving in detail
39 all quantities, sizes, lengths, specifying the streets, roads

40 or ways where situated; ninth, an itemized list of all tools,
41 apparatus and appliances used or usable in supplying water
42 on said first day of November. Such orders may be en-
43 forced, from time to time, by any justice of the supreme
44 judicial court, in term time or in vacation, upon motion
45 of either party, by such decrees and process as such jus-
46 tice may deem reasonable and proper in the premises.
47 At such hearing the justice then sitting may, upon motion
48 of the petitioner, make all such decrees as he deems rea-
49 sonable and proper to enable the petitioner, through its
50 servants and employees, to ascertain the condition of the
51 mains and pipes of the defendant water company, exter-
52 nally and internally, all work connected therewith to be
53 in the presence of the agents of the water company, and
54 at the election of said water company by its servants,
55 otherwise by the petitioner, but wholly at the expense of
56 said water district, said decree to fix the number of such
57 examinations and to impose such conditions as may to
58 the court seem just and proper in the premises. The said
59 appraisers shall have the power of compelling the attend-
60 ance of witnesses and the production of books and papers
61 pertinent to the issue, and may administer oaths; and any
62 witness, or person in charge of such books or papers, re-
63 fusing to attend, or to produce the same, shall be subject
64 to the same penalties and proceedings, so far as applicable,
65 as witnesses summoned to attend the supreme judicial
66 court. Depositions may be taken as in civil actions. The

67 appraisers may appoint a stenographer or stenographers
68 for the purpose of taking and transcribing the evidence
69 before them, the compensation and expenses of said stenog-
70 rapher or stenographers to be taxed and allowed by the
71 appraisers and paid and borne as hereinafter provided.

The appraisers so appointed shall after due notice and
2 hearing fix the valuation of said plant, property and fran-
3 chises at what they are fairly and equitably worth, so that
4 the said Skowhegan Water Company shall receive just
5 compensation for the same. The first day of July, nine-
6 teen hundred and twenty, shall be the date as of which
7 the valuation aforesaid shall be fixed, from which day
8 interest on said award shall run, and on which day full
9 title and right of possession of all said property, fran-
10 chises, rights and privileges of said water company, ex-
11 cept its cash assets and accounts receivable, shall pass to
12 and become vested in said water district by virtue of this
13 act and the filing of such petition by said trustees. It shall
14 be the duty of said water company on said date to sur-
15 render all control and possession of said property, fran-
16 chises, rights and privileges, and of said trustees to as-
17 sume full control and possession thereof in the right of
18 said water district, in the exercise of the right of eminent
19 domain hereby granted.

The report of said appraisers or a majority of them shall
2 be filed in the clerk's office of the supreme judicial court
3 for said county of Somerset, in term time or vacation.

4 as soon as practicable, and in any event within six months
5 after their appointment, unless for good cause shown the
6 time shall be extended by a justice of the supreme judicial
7 court, and such justice, or in case of his inability to act
8 then any justice designated for the purpose by the chief
9 justice, may, after notice and hearing, confirm or reject
10 the same, or recommit it if justice so requires. The award
11 of the appraisers shall be conclusive as to valuations.
12 Upon the confirmation of said report the court so sitting
13 shall thereupon, after hearing, make final decree upon the
14 entire matter, including the application of the purchase
15 money, discharge of incumbrances, and formal transfer
16 of title, jurisdiction over which is hereby conferred, with
17 the power to enforce the same as in equity cases. Upon
18 request of either party the justice so making such final
19 decree shall make separate findings of law and fact. All
20 such findings of fact shall be final, but either party ag-
21 grieved may take exceptions to any rulings of law so made,
22 the same to be accompanied only by such parts of the
23 case as are necessary to a clear understanding of the ques-
24 tions raised thereby. Such exceptions shall be claimed
25 on the docket within ten days after such final decree is
26 signed, entered and filed, and notice thereof has been given
27 by the clerk to the parties or their counsel, and said ex-
28 ceptions so claimed shall be made up, allowed and filed
29 within said time unless further time is granted by the
30 court or by agreement of parties. They shall be entered

31 at the next term of the law court to be held after the filing
32 of said decree and there heard, unless otherwise agreed,
33 or the law court shall for good cause order a further time
34 for hearing thereon. Upon such hearing the law court
35 may confirm, reverse or modify the decree of the court
36 below, or remand the cause for further proceedings as it
37 seems proper. During the pendency of such exceptions
38 the cause shall remain on the docket of the court below,
39 marked "law," and decree shall be entered thereon by a
40 single justice in term time or in vacation, in accordance
41 with the certificate and opinion of the law court. All find-
42 ings of law or fact by such single justice at such hearing
43 shall be final. On payment or tender by said district of
44 the amount so fixed and the performance of all other terms
45 and conditions so imposed by the court, full title to the
46 entire plant, property, rights and franchises of said water
47 company shall become vested in said district, free from
48 all liens, mortgages and incumbrances theretofore created
49 by the Skowhegan Company. All parties interested in
50 said property as mortgagees, lienees, or otherwise sub-
51 stantially entitled to protection, may be heard by the ap-
52 praisers or be permitted to intervene in the proceedings
53 before said supreme judicial court or a justice thereof,
54 under such reasonable regulations and restrictions as said
55 appraisers or said court may establish.

After the filing of said petition it shall not be discon-
2 tinued or withdrawn by said water district, and said Skow-

3 hegan Water Company may thereafterwards on its part
4 cause said valuation to be made as herein provided, and
5 shall be entitled to appropriate process to compel said
6 water district to perform the terms of the final decree,
7 and to pay for said plant, property and franchises in ac-
8 cordance therewith.

If a vacancy occurs at any time in said board of ap-
2 praisers, from any cause, any justice of the supreme judi-
3 cial court, sitting in said county of Somerset, may, in
4 term time or vacation, after notice and hearing, appoint a
5 new appraiser or appraisers, and make all such orders for
6 hearing said cause by the appraisers anew or for any ex-
7 tension of time for making their award, or otherwise, as
8 the circumstances may require.

Sect. 10. All valid contracts now existing between the
2 Skowhegan Water Company and any persons or corpo-
3 rations for supplying water within said district shall be
4 assumed and carried out by said Skowhegan Water Dis-
5 trict.

Sect. 11. For accomplishing the purposes of this act,
2 said water district, through its trustees, is authorized to
3 borrow money temporarily, and to issue therefor the in-
4 terest-bearing negotiable notes of the district, and for the
5 purpose of refunding the indebtedness so created, of pay-
6 ing any necessary expenses and liabilities incurred under
7 the provisions of this act, including the expenses incurred
8 in the creation of the district, in acquiring the properties

9 and franchises of the Skowhegan Water Company, by pur-
10 chase or otherwise, of securing sources of supply, taking
11 water and land, paying damages, laying pipes, construct-
12 ing, maintaining and operating a water-plant, and making
13 extensions, additions and improvements to the same, the
14 said water district, through its trustees, may from time to
15 time issue bonds of the district to an amount necessary
16 in the judgment of the trustees therefor. Said notes and
17 bonds shall be legal obligations of said water district,
18 which is hereby declared to be a quasi-municipal corpora-
19 tion within the meaning of section one hundred five of
20 chapter fifty-one of the revised statutes, and all the pro-
21 visions of said section shall be applicable thereto. The
22 said notes and bonds shall be legal investments for savings
23 banks.

Sect. 12. All individuals, firms and corporations, whether
2 private, public, or municipal, shall pay to the treasurer
3 of said district the rates established by said board of trus-
4 tees for the water used by them, and said rates shall be
5 uniform within the territory supplied by the district. Said
6 rates shall be so established as to provide revenue for the
7 following purposes:

I. To pay the current running expenses for maintaining
2 the water system, and provide for such extensions and
3 renewals as may become necessary in the ordinary course
4 of business, but not including extraordinary or unusual ex-
5 tensions for which bond issues may be deemed advisable by
6 the trustees.

II. To provide for the payment of the interest on the
2 indebtedness of the district.

III. To provide each year a sum equal to not less than
2 one nor more than five per cent. of the entire indebtedness
3 of the district, which sum shall be turned into a sinking
4 fund to provide for the final extinguishment of the funded
5 debt. The money set aside for the sinking fund shall be
6 devoted to the retirement of the obligations of the district,
7 or invested in such securities as savings-banks are allowed
8 to hold.

IV. If any surplus remains at the end of the year it
2 may be turned into the sinking fund.

Sect. 13. All incidental powers, rights and privileges
2 necessary to the accomplishment of the main object here-
3 in set forth are granted to the corporation hereby created.

Sect. 14. This act shall take effect when approved by
2 a majority vote of the legal voters within said district,
3 voting at an election to be specially called and held for
4 the purpose on the third Monday of July, nineteen hun-
5 dred and nineteen. The board of registration shall make
6 and provide a separate check-list of such of the voters
7 within said district as are then legal voters of said town,
8 and all warrants issued to said town shall be varied ac-
9 cordingly to show that only such voters therein are entitled
10 to vote hereon. Such special election shall be called, ad-
11 vertised and conducted according to the law relating to
12 municipal elections, provided, however, that the board of

13 registration shall not be required to prepare, or the town
14 clerk to post, a new list of voters, and for this purpose
15 said board shall be in session the three secular days next
16 preceding such election, the first two days thereof to be
17 devoted to registration of voters and the last day to en-
18 able the board to verify the correctness of said lists and
19 to complete and close up its records of said sessions. The
20 town clerk shall reduce the subject-matter of this act to
21 the following question: "Shall the act to incorporate the
22 Skowhegan Water District be accepted?" and the voters
23 shall indicate by a cross placed against the words "yes"
24 or "no" their opinion of the same. The result shall be de-
25 clared by the selectmen of Skowhegan, and due certificate
26 thereof filed by the town clerk with the secretary of state.

Sect. 15. Sections two, three and four of this act shall
2 be inoperative, null and void, unless the said water district
3 shall first acquire by purchase, or by the exercise of the
4 right of eminent domain as in this act provided, the plant,
5 property, franchises, rights and privileges now held by
6 the Skowhegan Water Company within said district.

Sect. 16. All costs and expenses arising under the pro-
2 visions of this act shall be paid and borne as directed by
3 the court in the final decree provided by section eight; pro-
4 vided, however, that in case the voters of said district
5 shall elect not to purchase or condemn the property of
6 the Skowhegan Water Company in the manner provided
7 by this act, the reasonable expenses of the organization

8 of the district and of its administration up to the time of
9 such decision by the voters of said district shall be assumed
10 and paid by the town of Skowhegan, and shall constitute
11 a legal liability against the inhabitants thereof. In case
12 the selectmen of said town and the trustees of said water
13 district are unable to agree upon the amount of such ex-
14 penses, the amount shall be determined by the county com-
15 missioners of Somerset county, upon application by said
16 trustees, after notice and hearing to said selectmen, and
17 the decision of said commissioners thereon shall be final.

Sect. 17. This act shall take effect in ninety days after
2 the final adjournment of the Legislature, so far as neces-
3 sary to empower the calling and holding of the elections
4 authorized in section five as herein provided for.

Sect. 18. Nothing herein contained is intended to re-
2 peal or shall be construed as repealing the whole or any
3 part of any existing statute, and all the rights and duties
4 herein mentioned shall be exercised and performed in ac-
5 cordance with all the applicable provisions of chapter fifty-
6 five of the revised statutes, and acts amendatory thereof or
7 additional thereto.