

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 386.

An Act to organize the Plantation of Criehaven.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. That part of Matinicus Isle plantation in the county of Knox, known as Ragged island, is hereby set off from said Matinicus Isle plantation, and organized into a plantation, by the name of Criehaven, and is hereby invested with all the powers and privileges, and subjected to all the powers and duties incident to other organized plantations.

Ragged Is-
land set off
and organ-
ized into a
plantation.
—name.

Sect. 2. The several inhabitants of Matinicus Isle plantation, on the territory hereby set off, shall be holden to pay all taxes which have been legally assessed upon them by said Matinicus Isle plantation.

Inhabi-
tants set off,
holden to
pay all
taxes.

Sect. 3. All property now belonging to said Matinicus Isle plantation, shall remain the property of said Matinicus Isle plantation, and all debts and liabilities of said Matinicus Isle plantation now existing, or which may hereafter arise in consequence of any acts or causes of action now existing, shall be paid by said Matinicus Isle plantation.

Property
belonging
to Matinicus
Isle shall
remain the
property of
said planta-
tion.

Sect. 4. All inhabitants living on the territory hereby set off shall have a right to vote in the plantation of Criehaven at its next annual March meeting, provided, they would have had a legal right to vote in Matinicus Isle plantation on the same day, had not this act taken effect.

When in-
habitants
shall have
right to
vote.

Sect. 5. This act shall take effect when approved.

Approved March 3, 1897.

Chapter 387.

An Act to authorize the Town of Richmond to purchase the property and franchises of the Richmond Water Company, and to incorporate the Richmond Water Commissioners.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. The inhabitants of the town of Richmond are hereby authorized to purchase the franchises and property of the Richmond Water Company, and to issue bonds therefor in whole or in part to be known as Richmond water bonds in such amount and at such rate and on such time as said inhabitants shall vote as hereinafter provided.

Town au-
thorized to
purchase
franchise of
water com-
pany.
—may issue
bonds.

CHAP. 387

Company authorized to convey its franchises.

Sect. 2. The Richmond Water Company is hereby authorized to sell, transfer and convey its franchises and property to the town of Richmond, or to the Richmond Water Commissioners hereinafter incorporated.

Town may vote to instruct officers to purchase franchises.

Sect. 3. At any meeting of the inhabitants of said town they may by a majority vote instruct the municipal officers thereof to purchase said franchises and property at such price and upon such conditions as shall be then voted.

Town shall succeed to all rights.

Sect. 4. The town of Richmond, in case it shall so purchase the franchises and property of said Richmond Water Company, shall succeed to all the rights and privileges of said company, and be subject to all its duties.

Board of Richmond Water Commissioners, created.

Sect. 5. The selectmen of Richmond in office, on the approval of this act by the governor, and their successors, to be hereafter elected in accordance with law, are hereby created a body corporate and politic, by the name of the Richmond Water Commissioners, and as such shall have a common seal, and power to sue and be sued. The Richmond Water Commissioners shall elect a president from among their own number, and shall elect a clerk, and choose such other officers as the town of Richmond may hereafter designate by ordinance. The town treasurer of the town of Richmond, for the time being, shall be treasurer, ex-officio, of the Richmond Water Commissioners, and shall keep the accounts of the money received and disbursed by him as treasurer of the town separate and distinct from those of the money received and disbursed by him as treasurer of said Richmond Water Commissioners.

—officers.

Powers and duties.

Sect. 6. The powers and duties of said Richmond Water Commissioners shall be those prescribed by such ordinances as the town of Richmond may, from time to time, ordain.

May issue bonds.

Sect. 7. The Richmond Water Commissioners are hereby authorized to issue the bonds of the corporation, to be known as the Richmond Water Commissioners' bonds, at such rates and on such times as may be approved by the town and for such amount, not exceeding sixty thousand dollars, as the town may approve; and the proceeds of the sale of said bonds shall be used exclusively for the purpose of paying the floating indebtedness incurred by the town of Richmond in the purchase and extension of the system of water works by this act authorized, and for such future extensions and improvements as may be approved by the said town, or for the purchase by said commissioners by this act authorized.

—proceeds, how used.

CHAP. 387

Sect. 8. The town of Richmond is hereby authorized to convey to the Richmond Water Commissioners, the corporation hereby created, in trust, all the property to be purchased by said town of the Richmond Water Company, under the provisions of this act, together with all additions, extensions and improvements made to said system of water works, for the sole purpose of securing the payment of the bonds issued under the provisions of section seven of this act, and for no other purpose. In like manner the Richmond Water Company may convey its property and franchises direct to said commissioners. Said Richmond Water Commissioners, in either case, may hold said property in trust for said purpose. And said system of water works shall be holden for payment of said bonds and their coupons, and said bonds and their coupons shall constitute a first lien thereon, subject to any existing incumbrance; and said lien shall not be impaired by said town or by said Richmond Water Commissioners until all said bonds and coupons issued hereunder shall have been paid and said trust discharged.

Town authorized to convey to the commissioners in trust, all property.

Water company may convey property and franchise in like manner, to commissioners.

—bonds shall constitute lien.

Sect. 9. In case of default in the payment of any of said bonds, or the coupons attached thereto, when due, any holder thereof may petition the supreme judicial court for the county of Sagadahoc, by bill in equity, for the benefit of himself, as well as for the benefit of all other holders of said bonds, and said court may enforce said lien, by appointment of receiver and by sale of said property, according to the usual practice in equity proceedings.

How lien may be enforced.

Sect. 10. The rates for the supply of water, charged and collected by said Richmond Water Commissioners, shall be fixed so that all expenses for repairs and management shall be paid annually, together with interest on the cost of the purchase of said system of water works by the town, and on the cost of all extensions thereto, and in addition thereto, not less than one per cent of said principal expenditures.

Rates for water.

Sect. 11. Said Richmond Water Commissioners shall invest the said one per cent of the principal expenditures mentioned in section six of this act as a sinking fund, in such securities as savings banks in this state are by law authorized to invest in. Any surplus of the receipts of said Richmond Water Commissioners remaining at the end of the municipal year after paying for all repairs, operating expenses, extensions and interest charges as aforesaid, and said one per cent for the sinking

Sinking fund created.

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—how applied.

Savings banks may invest in bonds.

Town may assume indebtedness.

—when trust may be discharged.

Shall not mortgage property.

All powers not conferred on commissioners, shall be vested in town.

—town liable for all damages.

fund, said Richmond Water Commissioners shall likewise invest as aforesaid, and place in said sinking fund. And said Richmond Water Commissioners may, when necessary, reinvest any of said securities. Said sinking fund and its accumulations shall be held solely for the purpose of redeeming and paying the principal of said bonds. Said town treasurer shall be the custodian of the sinking fund.

Sect. 12. Bonds issued under the provisions of this act may be purchased and held by savings banks in this state.

Sect. 13. The town of Richmond may assume the indebtedness represented by said bonds whenever it can constitutionally do so, by exchanging its own bonds for the bonds issued under the provisions of this act, and said bonds shall so provide. Bonds so providing shall be deemed negotiable. And whenever all of the indebtedness is thus assumed by the exchange of bonds, or whenever said bonds and their coupons are all paid, said trust shall thereupon be discharged, on petition of said town of Richmond, or said Richmond Water Commissioners, to the supreme judicial court for the county of Sagadahoc, sitting in equity, and said property, shall be reconveyed to said town of Richmond, discharged of said trust.

Sect. 14. Said Richmond Water Commissioners shall not sell, mortgage, or in any way dispose of said property, but shall hold the same solely for the purposes of the trust provided for by this act.

Sect. 15. All duties and powers necessary to be exercised with respect to said system of water works not conferred upon said Richmond Water Commissioners by the act, or by any ordinances to be hereafter ordained by said town, shall be vested in the town of Richmond. The town of Richmond, and not said Richmond Water Commissioners, shall be liable for all damages occasioned under and through the use of the franchises of the said Richmond Water Company, and for such other defaults as said town would have been liable for had not the trust therein provided for been created.

Sect. 16. This act shall take effect when approved.

Approved March 3, 1897.