

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventy-first Legislature.

SENATE.

No. 33

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to amend chapter 262 of Private and Special Laws of 1863 as amended by chapter 260 of Private and Special Laws of 1887 and chapter 54 of Private and Special Laws of 1899, entitled An Act to incorporate the Dover and Foxcroft Village Fire Company.

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

Section 1. The name of the Dover and Foxcroft Village
2 Fire Company is hereby changed to the Dover and Foxcroft
3 Water District. And all the rights, privileges, franchise
4 and property belonging to said Dover and Foxcroft Village
5 Fire Company shall belong to said Dover and Foxcroft Water
6 District, the same as though originally granted or conveyed

7 to said Dover and Foxcroft Water District, and all liabilities
8 and obligations of the said Dover and Foxcroft Village Fire
9 Company shall be the liabilities and obligations of said Dover
10 and Foxcroft Water District, the same as if incurred by the
11 Dover and Foxcroft Water District. And all suits hereafter
12 brought by or against said corporation shall be in the name
13 of the Dover and Foxcroft Water District whether the cause
14 of action accrues before or after the said change of name.

Sect. 2. Said Dover and Foxcroft Water District is
2 hereby authorized to raise money by taxation, for the pur-
3 pose of operating, repairing and extending its water works
4 system, and for the payment of the debts incurred by its pur-
5 chase, in addition to the purposes now authorized, to be levied
6 and collected in the manner provided by its charter.

Sect. 3. Section 5 of chapter 262 of Private and Special
2 Laws of the year 1863, is hereby amended by inserting after
3 the word "wardens" in the third line thereof, the words, 'And
4 a water board of three members,' so that said section as
5 amended shall read as follows:

'Sect. 5. The officers of said corporation shall consist of a
7 supervisor, clerk, treasurer, collector, three assessors, four
8 or more fire wardens, and a water board of three members,
9 and such other officers as may be provided for in the by-laws
10 of said corporation. Said fire wardens shall have exclusively
11 all the power and authority within the limits of said corpora-
12 tion that fire wardens chosen by the towns in town meetings
13 now have.'

Sect. 4. Section 9 of chapter 262 of Private and Special
2 Laws of 1863 is hereby amended so as to read as follows:

'Sect. 9. Said corporation is hereby authorized to hire
4 money, in addition to the bonded indebtedness authorized by
5 section 6 of this act, not exceeding the sum of five thousand
6 dollars, for any purpose for which it is authorized to raise
7 money by taxation, and may at any legal meeting called for

8 the purpose, authorize its treasurer to hire any sum not
9 exceeding five thousand dollars, on such terms as the cor-
10 poration may direct, provided, however, that for any pur-
11 pose except for the repairing or replacing of some part or
12 parts of its water works system it may not hire money as
13 aforesaid, exceeding two thousand dollars.

Sect. 5. The water board of three members provided for
2 by section 3 of this act, shall be chosen by ballot at the special
3 meeting of said corporation provided for by this act, one for
4 one year, one for two years and one for three years, and
5 whenever the term of office of a member of said board expires,
6 his successor shall be chosen by ballot to serve the full term
7 of three years, and in case of a vacancy on said board by
8 death or resignation, such vacancy shall be filled in like man-
9 ner for the unexpired term. Said water board shall have the
10 full management and control of the water works system now
11 owned by said corporation, and establish such rules and reg-
12 ulations as may be necessary for the convenient and proper
13 management of said water works system, employ a superin-
14 tendent and such other labor as may be necessary for the
15 proper operation of said water works system, fix the amount
16 of the water rentals which shall be uniform throughout said
17 district, and do all things necessary for the proper operation
18 of said system. They shall approve all bills due from the
19 district before payment by the treasurer. They shall meet
20 twice each year on the first Tuesdays of April and October
21 at the office of the district, at which meetings they shall
22 examine and audit the accounts of the superintendent and
23 treasurer. They shall receive for their services five dollars
24 each for each semi-annual meeting actually attended. They
25 may meet at such other times as they may deem necessary for
26 the welfare of said system, for which additional meetings
27 they may receive two dollars each for each such meeting
28 actually attended.

Sect. 6. Said Dover and Foxcroft Water District is authorized to issue its bonds in amount not exceeding one hundred and forty thousand dollars (\$140,000), for such purposes and on such terms and conditions as it may deem expedient. Said bonds shall have interest coupons attached. Said bonds shall be signed in behalf of said corporation by its treasurer and countersigned by its assessors, and the coupons attached thereto shall be impressed by the fac-simile of the signature of its treasurer. Said bonds shall be a legal obligation of said Water District, which is hereby declared to be a quasi municipal corporation within the meaning of section 55, chapter 46 of the Revised Statutes, and all of the provisions of said section shall be made applicable thereto. Said bonds, it is hereby declared, shall be public funds of the State of Maine, within the meaning of section 1 of chapter 161 of the Public Laws of 1895.

Sect. 7. All individuals, firms and corporations, whether private, public or municipal, shall pay to said district the rates established by said water board, for all water used by them. Said rates shall be so established as to provide revenue for the following purposes:

1. To pay the current running expenses for maintaining the water system, and provide for such extensions and renewals as may become necessary.
2. To provide for payment of interest on the bonded indebtedness of said district.
3. To provide each year a sum which together with the money provided for in section 8 of this act shall be equal to not less than one nor more than three per cent of the purchase price of said water system, which sums shall be turned into a sinking fund to provide for the final extinguishment of the bonded debt. The amount set aside for the sinking fund shall be devoted to the retirement of the district's bonded obligations, or invested in such securities as savings banks

19 are allowed to hold, said fund shall be invested by the treas-
20 urer under the direction of said water board.

Sect. 8. Said Dover and Foxcroft Water District shall
2 annually set aside for a period of thirty years, a sum not less
3 than one thousand seven hundred dollars (1,700), to be
4 turned into the sinking fund described in paragraph 3 of
5 section 7 of this act, and may raise the whole or any part
6 thereof by taxation.

Sect. 9. Said Dover and Foxcroft Water District is hereby
2 authorized to sell or lease for manufacturing purposes any
3 power on its dam at Pratt's Rips, so called, at its pumping
4 station, not used by it for supplying water for its water works
5 system, provided, however, that such sale or lease shall be
6 subject to a reservation of sufficient power for said Dover and
7 Foxcroft Water District for its present or future needs, in
8 supplying water to its said water system, and the extensions
9 thereof.

Sect. 10. Said Water District is hereby authorized to take
2 and hold by purchase or otherwise any land or real estate
3 necessary for reservoirs, or for preserving purity of the water
4 and water sheds, and for laying and maintaining aqueducts
5 for conducting, discharging, distributing and disposing of
6 water.

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

Sect. 12. The corporate property of the said district shall
2 be exempt from taxation.

Sect. 13. The proceedings of the Dover and Foxcroft Vil-
2 lage Fire Company in calling, holding and acting in a meeting
3 of said corporation held at the engine house of said company
4 in Foxcroft village on the 15th of November, A. D. 1902,
5 and by adjournment to the Town Hall in the town of Fox-
6 croft on said date, and all votes, acts and doings of said cor-
7 poration at said meetings are hereby ratified, confirmed and
8 made valid.

Sect. 14. The existing debt due from the Dover and Fox-
2 croft Village Fire Company to an association of men in
3 Dover and Foxcroft called the Water Syndicate is hereby rati-
4 fied, confirmed and made valid, and the contract between the
5 Dover and Foxcroft Village Fire Company and the Water
6 Syndicate, dated the twenty-second day of November, 1902,
7 is hereby ratified, confirmed and made valid.

Sect. 15. Said district may at a special meeting called and
2 held in accordance with its previous votes and by-laws, as
3 soon as may be after the approval of this act by the Governor,
4 vote to issue the bonds authorized by section six of this act,
5 and choose the water board provided for in section three of
6 this act. The expiration of the terms of office of said water
7 board shall be in one, two and three years, respectively from
8 the next annual meeting of said district.

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

STATE OF MAINE.

IN SENATE, January 30, 1903.

Reported by Mr. GUERNSEY from Committee on the Judiciary, and
laid on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary*.