

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 64

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## STATE OF MAINE.

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

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AN ACT to amend chapter 11 of the Private and Special Laws of 1903, for the purpose of correcting errors therein, making the sections of said chapter read consecutively, and to ratify the acts heretofore done by said district under said chapter 11.

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

Section 1. Chapter 11 of Private and Special Laws of the 2 year 1903, entitled "An Act to amend chapter two hundred 3 sixty-two of Private and Special Laws of eighteen hundred 4 sixty-three as amended by chapter two hundred sixty of 5 Private and Special Laws of eighteen hundred eighty-seven, 6 and chapter fifty-four of Private and Special Laws of eight- 7 een hundred ninety-nine, entitled 'An Act to incorporate the 8 Dover and Foxcroft Village Fire Company,'" is hereby 9 amended so that said chapter 11 shall read as follows:

‘Section 1. The name of the Dover and Foxcroft Village  
11 Fire Company is hereby changed to the Dover and Foxcroft  
12 Water District. And all the rights, privileges, franchise and  
13 property belonging to said Dover and Foxcroft Village Fire  
14 Company shall belong to said Dover and Foxcroft Water  
15 District, the same as though originally granted or conveyed  
16 to said Dover and Foxcroft Water District, and all liabilities  
17 and obligations of the said Dover and Foxcroft Village Fire  
18 Company shall be the liabilities and obligations of said Dover  
19 and Foxcroft Water District, the same as if incurred by the  
20 Dover and Foxcroft Water District. And all suits hereafter  
21 brought by or against said corporation shall be in the name  
22 of the Dover and Foxcroft Water District whether the cause  
23 of action accrues before or after the said change of name.’

Sect. 2. Said Dover and Foxcroft Water District is hereby  
2 authorized to raise money by taxation, for the purpose of  
3 operating, repairing and extending its water works system,  
4 and for the payment of the debts incurred by its purchase,  
5 in addition to the purposes now authorized, to be levied and  
6 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: •

‘Section 5. The officers of said corporation shall consist of  
7 a 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:

'Section 9. Said corporation is hereby authorized to hire  
4 money, in addition to the bonded indebtedness authorized  
5 by section 6 of this act, not exceeding the sum of five thou-  
6 sand dollars, for any purpose for which it is authorized to  
7 raise money by taxation, and may at any legal meeting called  
8 for the purpose, authorize its treasurer to hire any sum not  
9 exceeding five thousand dollars, on such terms as the corpo-  
10 ration may direct, provided, however, that for any purpose  
11 except for the repairing or replacing of some part or parts  
12 of its water works system it may not hire money as aforesaid,  
13 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  
6 expires, his successor shall be chosen by ballot to serve the  
7 full term of three years, and in case of a vacancy on said  
8 board by death or resignation, such vacancy shall be filled in  
9 like manner for the unexpired term. Said water board shall  
10 have the full management and control of the water works  
11 system now owned by said corporation, and establish such  
12 rules and regulations as may be necessary for the convenient  
13 and proper management of said water works system, employ  
14 a superintendent and such other labor as may be necessary  
15 for the proper operation of said water works system, fix the  
16 amount of the water rentals which shall be uniform through-  
17 out said district, and do all things necessary for the proper  
18 operation of said system. They shall approve all bills due  
19 from the district before payment by the treasurer. They  
20 shall meet twice each year on the first Tuesdays of April and

21 October at the office of the district, at which meetings they  
22 shall examine and audit the accounts of the superintendent  
23 and treasurer. They shall receive for their services five dol-  
24 lars each for each semi-annual meeting actually attended.  
25 They may meet at such other times as they may deem neces-  
26 sary for the welfare of said system, for which additional  
27 meetings they may receive two dollars each for each such  
28 meetings actually attended.

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

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

1. To pay the current running expenses for maintaining  
7 the water system, and provide for such extensions and  
8 renewals as may become necessary.

2. To provide for payment of interest on the bonded  
10 indebtedness of said district.

3. To provide each year a sum which together with the  
12 money provided for in section 8 of this act shall be equal to  
13 not less than one nor more than three per cent of the pur-  
14 chase price of said water system, which sums shall be turned  
15 into a sinking fund to provide for the final extinguishment  
16 of the bonded debt. The amount set aside for the sinking  
17 fund shall be devoted to the retirement of the district's  
18 bonded obligations, or invested in such securities as savings  
19 banks are allowed to hold, said fund shall be invested by the  
20 treasurer 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 a sinking fund described in paragraph 3 of sec-  
5 tion 7 of this act, and may raise the whole or any part thereof  
6 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  
7 and Foxcroft Water District for its present or future needs,  
8 in supplying water to its said water system, and the exten-  
9 sions 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 prop-

3 erty by taking of any land whatsoever or by excavating  
4 through any land for the purpose of laying any pipes or con-  
5 structing reservoirs. If any person sustaining damage as  
6 aforesaid, and said corporation shall not mutually agree upon  
7 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 meet-  
3 ing of said corporation held at the engine house of said com-  
4 pany in Foxcroft village on the 15th of November, A. D.  
5 1902, and by adjournment to the town hall in the town of  
6 Foxcroft on said date, and all votes, acts and doings of said  
7 corporation at said meetings are hereby ratified, confirmed  
8 and 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  
4 ratified, confirmed and made valid, and the contract between  
5 the 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. 2. The application already made by the water board  
2 of the revenues created under section 7 of chapter 11 of the  
3 Private and Special Laws of the year 1903, to the purposes  
4 enumerated in paragraphs 1, 2 and 3 of section 7 of this  
5 amended act, are hereby declared as legal and effectual as  
6 though said chapter 11 had read the same as it now reads in  
7 its corrected form.

Sect. 3. This act shall take effect when approved.



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, February 2, 1905.

Reported by Mr. JOHNSON, from Committee on Judiciary and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*