

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-THIRD LEGISLATURE

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HOUSE.

No. 495

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## STATE OF MAINE.

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

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AN ACT to incorporate the Livermore Falls Sewer District.

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

Section 1. The following described territory, and the people within the same, namely, so much of the town of East Livermore, in the county of Androscoggin, as is bounded as follows: beginning on the easterly bank of the Androscoggin river, at the northwest corner of the farm now occupied by John W. Johnson; thence in a straight line, in an easterly direction, to the point where the road leading past the premises known as the Lewis Wyman farm intersects

9 with the road leading from Livermore Falls village to East  
10 Livermore depot; thence northerly by said Wyman road  
11 past the premises now occupied by Herbert Bean to the line  
12 between the counties of Franklin and Androscoggin and the  
13 towns of Jay and East Livermore; thence westerly by said  
14 county and town line to the Androscoggin river; thence  
15 southerly by said river to the point of beginning, shall con-  
16 stitute a body politic and corporate under the name of the  
17 Livermore Falls Sewer District, for the purpose of provid-  
18 ing in the village of Livermore Falls, in said town of East  
19 Livermore, a system of public sewers, drainage and such  
20 other facilities, conveniences and improvements, as they may  
21 deem for the comfort, convenience and health of the people  
22 of said village, with all the rights, privileges and immunities  
23 incident to similar corporations.

Sect. 2. Said sewer district may acquire and hold real  
2 estate and personal estate, necessary and convenient for the  
3 purposes aforesaid, and is hereby authorized to take and hold  
4 by purchase or otherwise any land or real estate or easement  
5 therein necessary for forming basins, reservoirs and outlets;  
6 for erection of buildings for pumping works and for laying  
7 pipes and maintaining same and laying and maintaining  
8 conduits for carrying and collecting, discharging and dis-  
9 posing of sewerage matter and waters and for other objects  
10 necessary, convenient and proper for the purposes of this  
11 act.

Sect. 3. Said district shall be liable to pay all damages  
2 that shall be sustained by any person or corporation in their  
3 property by taking of any land or easement therein, under  
4 the provisions of this act, and if any person sustaining  
5 damage as aforesaid, and said district shall not mutually  
6 agree upon the sum to be paid therefor such person may  
7 cause his damages to be ascertained in the same manner and  
8 under the same conditions and limitations as are by law pre-  
9 scribed in the case of damages by the laying out of highways.

Sect. 4. Said district may lay pipes and construct conduits  
2 in manner aforesaid in and through said district to the  
3 Androscoggin river and the discharge therefrom shall be at  
4 such points as is shown by the plan therefor made by John  
5 A. Jones, civil engineer, but in any event below the present  
6 tail-race of the mills of the International Paper Company,  
7 as shall be most reasonable and convenient for said district;  
8 and convey through the same sewerage surface water and the  
9 natural flowage of existing water-courses, and secure and  
10 maintain basins, reservoirs and outlets; may build and main-  
11 tain pumping stations and buildings convenient for same;  
12 may construct and maintain flush tanks, manholes, lamp-  
13 holes, and such usual appliances for collection, holding, dis-  
14 tributing and disposing of sewerage matter; may provide  
15 water for such flush-tanks and for flushing said system of  
16 sewers and for any other purposes for which said company  
17 may deem the same desirable, and install all pipes and neces-  
18 sary structures and appliances to this end; may establish

19 regulations for the use of sewers and fix and collect the  
20 prices to be paid for entering the same also the annual rental  
21 for using thereof; and said corporation is hereby author-  
22 ized for the purposes aforesaid to lay down, in and through  
23 the streets, highways and lands of said district, and take up,  
24 replace and repair all such conduits, pipes and fixtures as  
25 may be necessary or desirable for the objects of its incor-  
26 poration; to carry and lay conduits and pipes under any  
27 water-course, railway or private way, and to cross any drain  
28 or sewer, or, if necessary, to change its direction in such a  
29 manner not to obstruct the use thereof, for placing manholes  
30 or other fixtures and for maintaining and repairing the same,  
31 and in general to do any other acts or things necessary, con-  
32 venient and proper to be done for the purposes of this act.

Sect. 5. Said district shall file in the registry of deeds for  
2 the county of Androscoggin, a certificate containing a  
3 description of land taken or in which an easement may be  
4 taken under the provision of this act and a statement of the  
5 purposes for which it is taken, to be recorded by the register,  
6 and such land or easement shall be deemed to be taken upon  
7 the filing of said certificate.

Sect. 6. Any person who shall place or leave any offensive  
2 or injurious matter or materials in the conduits, catch basins  
3 or receptacles of said corporation, contrary to its regulations,  
4 or shall wilfully injure any conduit, pipe, reservoir, flush-  
5 tank, catch basin, manhole, lamp-hole, outlet, engine, pump  
6 or other property held, owned or used by said corporation

7 for the purposes of this act, shall pay twice the amount of  
8 damages, to said corporation, to be recovered in any proper  
9 action; and such person on conviction of either of said acts  
10 of wilful injury aforesaid shall be punished by a fine not  
11 exceeding two hundred dollars and by imprisonment not  
12 exceeding one year.

Sect. 7. Said district shall be liable to any person injured  
2 by any fault of said corporation or its agents, or any defect  
3 in the highways occasioned by the constructions of the works  
4 of said company during said construction or after the same  
5 has been completed, or while the same shall be undergoing  
6 repairs, or extensions are being made; and said corporation  
7 shall also be liable to the town of East Livermore for any  
8 and all costs, damages and expenses which said town may  
9 suffer or be put to by reason of the defaults, neglect, negli-  
10 gence or carelessness of said corporation or any of its offi-  
11 cers, servants or agents.

Sect. 8. All the affairs of said sewer district shall be man-  
2 aged by a board of trustees composed of three members, (all  
3 to be residents of said district) to be chosen by the selectmen  
4 of the town of East Livermore, but no member of the board  
5 of selectmen shall during the term for which he is elected be  
6 chosen one of said board of trustees. As soon as convenient  
7 after the members of said board have been chosen, said trus-  
8 tees shall hold a meeting at the office of the selectmen in the  
9 town of East Livermore, and organize by the election of a  
10 president and clerk, adopt a corporate seal and when neces-

11 sary choose a treasurer and all other needful officers and  
12 agents for the proper conduct and management of the affairs  
13 of said district. At said first meeting they shall determine  
14 by lot the term of office of each trustee so that one shall  
15 serve for one year, one for two years, and one for three  
16 years; and when the term of office of a trustee expires the  
17 said selectmen of the town of East Livermore shall appoint  
18 a successor to serve the full term of three years; and in case  
19 of any other vacancy arising it shall be filled in like manner  
20 for the unexpired term. They may also ordain and estab-  
21 lish such by-laws as are necessary for their own convenience  
22 and the proper management of the affairs of the district.  
23 The term of office of trustees shall begin on the first Mon-  
24 day of May. Said trustees may procure an office and incur  
25 such expenses as may be necessary. Each member shall  
26 receive in full compensation for his services an allowance of  
27 one hundred dollars per annum.

Sect. 9. For accomplishing the purposes of this act said  
2 sewer district, through its trustees is authorized to issue its  
3 bonds to an amount sufficient to procure funds to pay the  
4 expense incurred for the purposes authorized by this act.  
5 Said bonds shall be a legal obligation of said sewer district  
6 which is hereby declared to be a quasi municipal corporation  
7 within the meaning of section ninety-six, chapter forty-eight  
8 of the Revised Statutes, and all the provisions of said sec-  
9 tion shall be applicable thereto. The said bonds shall be a  
10 legal investment for savings banks.

Sect. 10. All individuals, firms and corporations, whether  
2 private, public or municipal, shall pay to the treasurer of  
3 said district the rates established by said board of trustees  
4 for the entrance and use of said sewer, and said rates shall be  
5 uniform within the territory served by said district. Said  
6 rates shall be so established as to provide revenue for the  
7 following purposes:

1. To pay the current running expenses for maintaining  
9 said district and provide for such extension and renewals as  
10 may become necessary.

2. To provide for payment of the interest on the indebted-  
12 ness of the district.

3. To provide a sum each year equal to not less than one-  
14 half of one per cent nor more than two per cent of the entire  
15 indebtedness of the district, which sum shall be turned into  
16 a sinking fund to provide for the final extinguishment of the  
17 funded debt. The money set aside for the sinking fund  
18 shall be devoted to the retirement of the obligations of the  
19 district or invested in such securities as savings banks are  
20 allowed to hold.

4. If any surplus remains at the end of the year it may  
22 be paid to the treasurer of the town of East Livermore for  
23 the use of said town.

Sect. 11. At any time should the income of said district  
2 be insufficient to meet all the obligations set forth in sec-  
3 tion ten of this act, the whole or any part of this deficit may  
4 be raised by taxation; which tax shall be assessed and col-



5 lected, on the property within the district, in the same  
6 manner as municipal taxes are assessed and collected.

Sect. 12. All incidental powers, rights and privileges nec-  
2 essary to the accomplishment of the main object herein set  
3 forth are granted to the corporation hereby created.

Sect. 13. The corporate property of said district shall be  
2 exempt from taxation.

Sect. 14. This act shall take effect when approved by a  
2 majority vote of the legal voters within said district at an  
3 election to be specially called and held for the purpose  
4 within sixty days after the approval of this act as the select-  
5 men of the town of East Livermore may determine. The  
6 said board of selectmen shall make and provide a separate  
7 check list for such of the voters within said district as are  
8 then legal voters within said district and all warrants issued  
9 to said district shall be varied accordingly to show that only  
10 such voters therein are entitled to vote hereon. Such elec-  
11 tion shall be called, advertised and conducted according to  
12 the law relating to municipal elections, provided, however,  
13 that the selectmen shall not be required to prepare or the  
14 town clerk to post a new list of voters and for this purpose  
15 said board shall be in session the two secular days next pre-  
16 ceding such election, the first day thereof to be devoted to  
17 registration of voters and the last day to enable the board  
18 to verify the corrections of said list and to complete and  
19 close up its records of said sessions. The town clerk shall  
20 reduce the subject matter of this act to the following  
21 question: "Shall the act to incorporate the Livermore Falls

22 Sewer District be accepted?" and the voters shall indicate  
23 by depositing a ballot in the ballot box with the word "yes"  
24 or "no" on the same, their opinion of the same. The result  
25 shall be declared in open meeting and due certificate thereof  
26 filed by the town clerk with the secretary of state. This act  
27 shall take effect when approved by the Governor as neces-  
28 sary to empower the calling and holding of such election.

Sect. 15. This act shall take effect when approved.





STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 11, 1907.

Reported by Mr. DUNTON from Committee on Legal Affairs, and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*