

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 381

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## STATE OF MAINE.

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

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AN ACT to incorporate the Skowhegan Water District.

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

Section 1. The territory of the Skowhegan Village Corporation as it existed when abolished under the provisions of chapter three hundred and sixty-seven of the Private and Special Laws of the State of Maine, for the year nineteen hundred and five, and the people therein, shall constitute a body politic and corporate under the name of Skowhegan Water District, for the purpose of furnishing pure water for the extinguishment of fires within said water district.

Sect. 2. Said district is hereby authorized for the purpose aforesaid, to take and hold sufficient water from Whitten Brook, Cold Stream, or any other brook, stream, spring,

4 pond or other water supply within the town of Skowhegan,  
5 including the right to sink or bore wells, but not including  
6 any source of supply of the Skowhegan Water Company,  
7 and also to take and hold water from Hayden Lake in the  
8 town of Madison or any stream flowing therefrom, and  
9 Smith Pond in the town of Cornville or any stream flowing  
10 therefrom, and Lake George in the town of Canaan, and  
11 may take and hold by purchase or otherwise, any land or real  
12 estate necessary for erecting dams, power, reservoirs or for  
13 preserving water, and for laying and maintaining aqueducts  
14 for conducting, discharging, distributing and disposing of  
15 water.

Sect. 3. Said corporation shall cause to be prepared and  
2 filed in the office of the registry of deeds for Somerset  
3 County, a plan and description of the lands, easements, wa-  
4 ters and other rights to be taken as aforesaid, before actual  
5 possession of the same is taken.

Sect. 4. Said district shall be liable for all damages that  
2 shall be sustained by any persons or corporations in their  
3 property by the taking of any land whatsoever, or by flow-  
4 age, or by excavating through any land for the purpose of  
5 laying pipes, building dams or constructing reservoirs.

If any person sustaining damage as aforesaid and said cor-  
7 poration shall not mutually agree upon the sum to be paid  
8 therefor, such person may cause his damage to be ascertained  
9 in the same manner and under the same conditions, restric-  
10 tions and limitations, as are or may be prescribed in case of

11 damages by the laying out of highways, upon a petition filed  
12 within one year from the time of the actual taking and not  
13 afterwards.

Sect. 5. Said district is hereby authorized to lay in and  
2 through the streets and highways of said Skowhegan and  
3 through the highways of said Madison, Cornville and Ca-  
4 naan, and to take up, repair and replace all such pipes, aque-  
5 ducts and fixtures as may be necessary for the objects above  
6 set forth, and whenever said district shall lay any pipes or  
7 aqueducts in any street or highway, it shall cause the same  
8 to 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. All of the affairs of said Water District shall be  
2 managed by a board of trustees composed of three mem-  
3 bers. Said trustees shall be chosen by the legal voters of  
4 said water district unless the power to select the same shall  
5 be delegated to the town of Skowhegan or to a board of fire  
6 and police commissioners acting under authority of said  
7 town, which said water district may do by a majority vote of  
8 the legal voters thereof present and voting at any legal meet-  
9 ing of the same held under a warrant containing an article  
10 for that purpose, and when said power shall have been so  
11 delegated it shall continue until revoked in like manner.  
12 Said trustees shall be selected to serve one, two and three  
13 years, respectively, and thereafter whenever a term of a

14 trustee shall terminate, his successor shall be selected in  
15 like manner, to serve three years. Should a vacancy occur  
16 it shall be filled in the same manner, the person selected to  
17 serve the remainder of the term.

Sect. 7. Said board of trustees may adopt such rules,  
2 ordinances and by-laws as they may deem necessary and  
3 shall receive such compensation as said water district may  
4 vote.

Sect. 8. The first meeting of said water district shall be  
2 called by those selectmen of Skowhegan who reside at that  
3 time within the limits of said water district, in the same  
4 manner as town meetings are called in said Skowhegan, and  
5 one of such selectmen shall preside until a moderator is  
6 chosen. Said water district may provide for a clerk and  
7 other officers and pass all votes necessary as to the calling of  
8 future meetings and to carry out the provisions hereof.

Sect. 9. Said water district is hereby authorized and em-  
2 powered to acquire by purchase or under the right of emi-  
3 nent domain which is hereby expressly granted, any of the  
4 above property necessary for the purposes herein set forth,  
5 and for accomplishing the same, may, through its trustees,  
6 issue its bonds to an amount sufficient to produce funds  
7 therefor. Said bonds shall be a legal obligation of said  
8 water district, which is hereby declared to be a quasi muni-  
9 cipal corporation within the meaning of section ninety-six  
10 of chapter forty-seven of the revised statutes, and all the  
11 provisions of said section shall be applicable thereto.

Sect. 10. The property of said district shall be exempt  
2 from taxation.

Sect. 11. 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. 12. Said water district through its trustees, may  
2 contract with the Skowhegan Water Company for the pump-  
3 ing, storage and distribution of the water obtained or to be  
4 obtained by said water district, as herein provided for the  
5 extinguishment of fires within said water district.

Sect. 13. The town of Skowhegan is hereby authorized to  
2 contract with said water district for water for fire protec-  
3 tion within said water district, or to do so in connection with  
4 a contract with the Skowhegan Water Company.

Sect. 14. The Chief Justice of the State of Maine, upon  
2 petition of the selectmen of Skowhegan or such other per-  
3 son or persons as the town may by vote designate, shall ap-  
4 point a commission of not exceeding three disinterested men  
5 who shall not be residents of said town, who after notice  
6 and hearing, shall determine whether the Skowhegan Wa-  
7 ter Company on the nineteenth day of August, A. D. 1910,  
8 is, or was, able to furnish and to continue to furnish during  
9 the twenty years then next following, through its hydrants  
10 and all other hydrants which it might thereafter put in dur-  
11 ing said term, a constant and ample supply of portable water  
12 other than water from the Kennebec river, under sufficient  
13 pressure for the extinguishment of fires, unavoidable acci-

14 dents excepted, and also an average daily pressure of sev-  
15 enty pounds on Water street level in said town for domes-  
16 tic purposes, unavoidable accidents excepted, and shall cer-  
17 tify his or their decision to the clerk of courts for Somerset  
18 County as soon as practicable after such hearing. If such  
19 decision so to be certified be that the Skowhegan Water  
20 Company is then prepared to render such service during  
21 said term, then this act shall not go into effect. If such de-  
22 cision so to be certified be that the Skowhegan Water Com-  
23 pany is not then prepared to render such service during said  
24 term, then and upon that event this act shall go into full  
25 force and effect, provided however that this act shall not take  
26 effect until accepted by a majority vote of the legal voters  
37 present and voting at any legal meeting of the inhabitants  
28 of said town; and provided further that this act shall not  
29 take effect until accepted by a majority vote of the legal vot-  
30 ers present and voting at any meeting of the inhabitants of  
31 said water district to be called as provided in section seven,  
32 after the report of the commissioner or commissioners is  
33 filed as herein provided.

Sect. 15. The town of Skowhegan shall pay such com-  
2 mission and may appear by its officers, agent and attorneys  
3 and be heard.





STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 2, 1909.

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

E. M. THOMPSON, *Clerk.*