

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 502

House of Representatives, March 13, 1913.

*Reported by Mr. Smith, Presque Isle, from Committee on
Judiciary, and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to create the Temple Water District.

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

Section 1. The following described territory and the
2 people within the same, namely: the entire town of Temple
3 in the county of Franklin, excepting therefrom the lots con-
4 tained in Range One in the said town, shall constitute a
5 body politic and corporate under the name of The Temple
6 Water District, for the purpose of supplying the inhabitants
7 of said district pure water for domestic, sanitary, man-
8 ufacturing and municipal purposes.

Sect. 2. Said corporation is hereby authorized for the
2 purposes aforesaid, to take water from the Farmington

3 Village Corporation by connecting its pipes with the pipe
4 belonging to and maintained and operated by the Farming-
5 ton Village Corporation at such point on said line in said
6 town of Temple, and upon such terms and conditions as
7 may be mutually agreed upon by the trustees of said Temple
8 Water District, and the assessors of said Farmington Vil-
9 lage Corporation; and for that purpose the said Farming-
10 ton Village Corporation acting by and through its assessors
11 is hereby authorized and empowered to enter into such con-
12 tract with the said Temple Water District; and to erect and
13 maintain reservoirs and standpipes, and lay down and main-
14 tain pipes and aqueducts necessary for the proper accumu-
15 lating, conducting, discharging, distributing and disbursing
16 water, and forming proper reservoirs therefor, and said cor-
17 poration may take and hold by purchase or otherwise any
18 lands or real estate necessary therefor, and may excavate
19 through any lands when necessary for the purpose of this
20 corporation.

Sect. 3. Said water district shall be liable for all damage
2 that shall be sustained by any person or corporation in their
3 property by the taking of any land whatsoever, or water,
4 or by flowage, or by excavating through any land for the
5 purpose of laying pipes, building dams or constructing res-
6 ervoirs. If any person sustaining damages as aforesaid and
7 said corporation shall not mutually agree upon the sum to
8 be paid therefor, such person may cause his damages to be
9 ascertained in the same manner and under the same con-

10 ditions, restrictions and limitations as are or may be pre-
11 scribed in the case of damages by the laying out of high-
12 ways.

Sect. 4. Said water district is hereby authorized to lay in
2 and through the streets and highways in said district, and
3 to take up, repair and replace, all such pipes, aqueducts and
4 fixtures as may be necessary for the objects above set forth,
5 and whenever said district shall lay any pipes or aqueducts
6 in any street or highway, it shall cause the same to be done
7 with as little obstruction as possible to the public travel,
8 and shall at its own expense without unnecessary delay,
9 cause the pavement and earth removed by it to be replaced
10 in proper condition.

Sect. 5. Said water district is hereby authorized and em-
2 powered to acquire by purchase or by the exercise of the
3 right of eminent domain, which right is hereby expressly
4 delegated to said water district for said purposes, any lands,
5 right of way, or any other interest in real estate which may
6 be required for the carrying out of the purposes of this
7 corporation.

Sect. 6. All the affairs of said water district shall be man-
2 aged by a board of trustees, composed of three members
3 to be chosen by ballot by the legal voters within said water
4 district, the first election to be at the meeting of the legal
5 voters of said corporation to be called for the purpose of
6 voting upon the acceptance of this act, one to serve until
7 the annual meeting to be held in the year nineteen hundred

8 and fourteen; one to serve until the year nineteen hundred
9 and fifteen, and one to serve until the year nineteen hun-
10 dred and sixteen. Whenever the term of office of a trustee
11 shall expire, the legal voters of said water district shall
12 elect a successor to serve a full term of three years, and
13 if any other vacancy occur, it may be filled in like manner
14 for the unexpired term. The annual meeting for the elec-
15 tion of officers shall be in the month of July. As soon as
16 is convenient after the board of trustees has been chosen,
17 the said trustees shall hold a meeting and organize by the
18 election of a chairman and clerk, adopt a corporate seal,
19 choose a treasurer and when necessary may elect all other
20 needful officers and agents for the proper management of
21 the affairs of said water district.

Each member shall receive in full compensation for his
23 service the sum of two dollars for each and every regular
24 and special meeting of said board at which he is in attend-
25 ance.

The said water district, at any legal meeting thereof called
27 for the purpose, may adopt such by-laws and provisions not
28 inconsistent with the constitution and laws of this state and
29 of the United States, as they may deem expedient and nec-
30 essary for the good government and regulation of the mu-
31 nicipal affairs of said water district, in which case, such by-
32 laws and provisions so adopted shall apply to said water
33 district as fully to all intents and purposes, as other pro-
34 visions of this act, subject to alterations and additions only

35 by a two-thirds vote of the legal voters of said water dis-
36 trict present and voting at a legal meeting thereof called
37 for the purpose.

Sect. 7. For accomplishing the purposes of this act said
2 water district, through its trustees, is authorized to issue
3 the bonds to an amount sufficient to procure funds to pay
4 the expense incurred in the construction and installation of
5 its system of pipe lines, dams, reservoirs, pumping stations
6 and whatever equipment may be necessary or incidental to
7 the construction and installation of such system of water
8 works, and additions thereto, including the expense of tak-
9 ing by purchase or otherwise, of lands, rights of way, or
10 other interests in real estate which may be necessary for
11 the carrying out of the purposes of this act. Said bonds
12 shall be a legal obligation of said corporation, within the
13 meaning of section ninety-six, chapter forty-seven of the
14 revised statutes and all the provisions of said section shall
15 be applicable thereto. The said bonds shall be a legal in-
16 vestment for savings banks.

Sect. 8. The Temple Water District hereby created, is
2 hereby authorized and empowered to raise annually a sum
3 of money, which in the judgment of the board of trustees,
4 is sufficient to defray the expense of furnishing water in
5 said district for the purpose of fire protection, by taxation
6 of the legally taxable property therein as rendered by the
7 assessors of said town of Temple.

Sect. 9. All individuals, firms and corporations, whether

2 private, public, national or municipal, shall pay to the said
3 water district the rates established by said board of trus-
4 tees for the water used by them, and said rates shall be
5 uniform within the territory supplied by the water district.
6 Said rates shall be so established as to provide resources
7 for the following purposes:

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

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

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

Sect. 10. All the incidental powers, rights and privileges
2 necessary to the accomplishment of the main objects herein
3 set forth are granted to the corporation hereby created.

Sect. 11. This act shall take effect when accepted by ma-
2 jority vote of the legal voters within said water district, at
3 a meeting to be specially called and held for the purpose
4 on or before the first day of August, in the year nineteen
5 hundred and thirteen, and the selectmen of the town of

6 Temple are hereby authorized to call said meeting, and to
7 make and provide a separate check list of such of the voters
8 (within said water district as are then legal voters) of said
9 town, and all warrants issued to said town shall be varied
10 accordingly to show that only such voters within said dis-
11 trict are entitled to vote thereon. Such special meeting shall
12 be called, advertised and conducted according to the law
13 relating to municipal election, provided, however, that the
14 board of selectmen shall not be required to prepare, or the
15 town clerk to post a new list of voters.

The town clerk shall reduce the subject matter of this act
17 to the following question: Shall the act to incorporate the
18 Temple Water District be accepted? And the voters shall
19 indicate by a cross placed against the words, "Yes," and
20 "No," their opinion of the same. The result shall be de-
21 clared by the selectmen of Temple, and due certificate there-
22 of filed by the town clerk with the secretary of state.