

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 49

In Senate, Jan. 21, 1913.

Came from the House referred to the Committee on Judiciary, and on motion by Senator Wing of Franklin laid on the table for printing pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to create the Strong Water District.

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

Section 1. The following described territory and the people within the same, namely: all of the town of Strong excepting so much thereof as is situated easterly of the road leading from Starbird's mill so called, to West Freeman so called; and northerly of the road leading from Starbird's mill through Freeman Valley to Kingfield, shall constitute a body politic and corporate under the name of the Strong Water District, for the purpose of supplying the inhabitants of the said district, pure water for domestic, sanitary, manufacturing and municipal purposes.

Sect. 2. Said corporation is hereby authorized for the
2 purposes aforesaid, to take over by purchase from the town
3 of Strong as soon as said town becomes possessed thereof,
4 the entire plant, works and rights now owned or hereafter
5 acquired by said town from the Strong Water Company
6 for the amount actually expended by said town in acquir-
7 ing said plant, works and rights, and to maintain the same
8 as now existing, or to construct additional lines of pipe and
9 suitable and sufficient reservoirs and standpipes or pump-
10 ing stations necessary for the proper accumulation, conduct-
11 ing, discharging and disbursing water. The said corpora-
12 tion may take and hold by purchase or otherwise, and lands
13 or real estate necessary therefor, and may excavate through
14 any lands when necessary for the purpose of this corpo-
15 ration.

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

Sect. 5. Said Water District is hereby authorized and
2 empowered 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
2 managed by a board of trustees, composed of three mem-
3 bers to be chosen by ballot by the legal voters within said
4 Water District, the first election to be at the meeting of
5 the legal voters of said corporation to be called for the pur-
6 pose of voting upon the acceptance of this act, one to serve
7 until the annual meeting to be held in the year nineteen
8 hundred and fourteen; one to serve until the year nineteen
9 hundred and fifteen, and one to serve until the year nine-

10 ten hundred and sixteen. Whenever the term of office of
11 a trustee shall expire, the legal voters of the said Water
12 District shall elect a successor to serve a full term of three
13 years, and if any other vacancy occur, it may be filled in
14 like manner for the unexpired term. The annual meeting
15 for the election of officers shall be in the month of July.
16 As soon as is convenient after the board of trustees has
17 been chosen, the said trustees shall hold a meeting and or-
18 ganize by the election of a chairman and clerk, adopt a
19 corporate seal, choose a treasurer and when necessary may
20 elect all other needful officers and agents for the proper
21 management of 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
27 called for the purpose, may adopt such by-laws and pro-
28 visions, not inconsistent with the constitution and the laws
29 of this state and of the United States, as they may deem
30 expedient and necessary for the good government and re-
31 lation of the municipal affairs of said Water District, in
32 which case, such by-laws and provisions so adopted shall
33 apply to said Water District as fully, to all intents and pur-
34 poses, as other provisions of this act, subject to alterations
35 and additions only by a two-thirds vote of the legal voters
36 of said Water District present and voting at a legal meet-

37 ing thereof called 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 purchase of said plant, works
5 and rights and in the construction and installation of its
6 system of pipe lines, dams, reservoirs, pumping stations
7 and whatever equipment may be necessary or incidental to
8 the construction and installation of such systems of water
9 works, and additions thereto, including the expense of tak-
10 ing by purchase or otherwise, of lands, rights of way, or
11 other interests in real estate which may be necessary for
12 the carrying out of the purposes of this act. Said bonds
13 shall be a legal obligation of said corporation, within the
14 meaning of section ninety-six, chapter forty-seven of the
15 revised statutes and all the provisions of said section shall
16 be applicable thereto. The said bonds shall be a legal in-
17 vestment for savings banks.

Sect. 8. The Strong 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 Strong.

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 Dis-
6 trict. Said rates shall be so established as to provide re-
7 sources 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 invested
19 in such securities as savings banks are allowed to hold.

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

Sect. 11. This act shall take effect when accepted by
2 majority vote of the legal voters within said Water District,
3 at a meeting to be specially called and held of 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 Strong 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
9 said town, and all warrants issued to said town shall be
10 varied accordingly to show that only such voters within
11 said district are entitled to vote therein. Such special meet-
12 ing shall be called, advertised and conducted according to
13 the law relating to municipal election, provided however,
14 that the board of selectmen shall not be required to pre-
15 pare, or the 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 Strong Water District be accepted? and the voters shall
19 indicate by a cross placed against the words, Yes, and No,
20 their opinion of the same. The result shall be declared by
21 the selectmen of Strong, and due certificate thereof filed
22 by the town clerk with the secretary of state. This act
23 shall take effect when approved by the governor so far as
24 is necessary to empower the calling and holding of such
25 meeting.