

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 234

House of Representatives, Feb. 9, 1917.

Referred to Committee on Public Utilities and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Jordan of Baileyville.

STATE OF MAINE

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

AN ACT to enable the town of Princeton to supply electricity
and water.

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

Section 1. The town of Princeton, by a commission as
2 hereinafter provided, acting for and in behalf of said town,
3 is hereby authorized and empowered to make and generate
4 electricity, and to transmit, conduct and distribute such
5 electricity to, into and throughout said town, and sell and
6 supply the same for lighting streets, buildings and places
7 therein, public and private, and for heating, power,
8 mechanical and manufacturing purposes, municipal or other-

9 wise, in said town, upon such terms and conditions as may
10 be agreed upon between those desiring the use of such
11 electricity, and said town acting by said commission; and
12 for the purposes aforesaid, to erect, lay down, construct,
13 maintain and operate conduits and lines of wires or other
14 material for the transmission of electricity under, over or
15 across any railroad, stream, river, or other water, and under,
16 along, upon or over any streets, ways and bridges, in said
17 town, and under or over any land owned or leased by said
18 town or taken as hereinafter provided, and to take up, re-
19 place and repair such conduits, wires or other material, to
20 erect poles and supports along, upon and over streets, ways
21 and bridges in said town, and over or under any land
22 owned or leased by said town or taken as hereinafter pro-
23 vided, and to take up, replace and repair such poles and sup-
24 ports, to build, construct, maintain and repair manufactories,
25 plants, works, power stations, or other buildings upon said
26 lands, and to do any and all things and acts necessary for
27 carrying out the provisions of Section 1 of this act, doing
28 no unnecessary damage.

Sect. 2. Said town, by said commission, is hereby
2 authorized and empowered to sell, distribute and supply
3 pure water for municipal domestic, sanitary, mechanical and
4 manufacturing purposes, in said town, including a sufficient
5 supply for extinguishing fires; and for the purposes afore-
6 said, to take water from any lake, pond, stream, brook,
7 spring or other water source within said town, and to con-

8 vey any of the waters aforesaid by aqueducts or pipes under,
9 over or across any water course or railroad, to lay down,
10 construct and maintain aqueducts and pipes under, upon,
11 over and along streets, ways and bridges in said town, in
12 such manner as not unreasonably to obstruct the same, and
13 under or over any land owned or leased by said town or
14 taken as hereinafter provided, and to take up, replace and
15 repair all such aqueducts, pipes or service pipes, to con-
16 struct, maintain and repair plants, power stations or other
17 buildings, and to do any and all things and acts as may be
18 necessary to carry out the purposes of a complete system
19 of water works, doing no unnecessary damage.

Sect. 3. Said town, by said commission, shall have power
2 and is hereby authorized to take and hold as for public
3 uses, by purchase, gift, bequest or otherwise any water
4 rights, lands or real estate or interest therein, necessary for
5 flowage, for power for pumping its water supply through
6 its mains and for running its dynamos or other machinery,
7 for making, generating and supplying electricity, for erect-
8 ing and maintaining dams, locks and gates, for reservoirs,
9 for erecting and maintaining poles or other supports, for
10 laying and maintaining conduits for wires or other materials
11 for conducting, conveying and distributing electricity, for
12 locating, erecting, constructing and operating manufactories,
13 plants, works or other buildings or structures for making,
14 generating, supplying and distributing electricity and for
15 taking, pumping, conveying, distributing and supplying

16 water, for offices, for preserving the purity of its water
17 and water-shed, for laying and maintaining pipes, aque-
18 ducts, hydrants or other structures for taking, conducting,
19 conveying, discharging and distributing water, and for
20 rights of way and roadways to be used as approaches to its
21 sources of supply, dams, power stations, reservoirs, mains,
22 aqueducts, conduits, structures and lands, doing no un-
23 necessary damage.

Sect. 4. Said town, by said commission, may enter upon
2 said lands or real estate so taken and held to make surveys
3 and locations, and shall record in the Registry of Deeds and
4 file in the office of the County Commissioners in the county
5 in which such lands or property lies, plans of such lands and
6 locations, showing the property taken within said county
7 and the names of the owners thereof, and within thirty days
8 thereafter shall publish notice of such taking and filing in
9 some newspaper published in said county wherein said land
10 is taken, such publication to be continued three weeks suc-
11 cessively, and such filing in the Registry of Deeds and
12 office of the County Commissioners shall be in lieu of any
13 other filing now required by law.

Sect. 5. Should said town, by said commission, and the
2 owner of such land be unable to agree upon the damages
3 to be paid for such taking, location and holding, the land
4 owner or the said town by said commission, may within
5 twelve months after the filing of said plans and location
6 apply to the commissioners of the county wherein said land

7 lies, who shall cause such damages to be assessed in the
8 same manner, and under the same conditions, restrictions,
9 limitations and rights of appeal as are by law prescribed in
10 the case of damages for the laying out of highways, so far
11 as such law is consistent with the provisions of this act.

Sect. 6. Said town, by said commission, is authorized
2 and empowered to contract with any person, firm or cor-
3 poration to erect, construct and maintain aqueducts, pipes,
4 dams, locks, gates, hydrants, reservoirs, conduits, poles,
5 supports manufactories, works, or other structures, neces-
6 sary or convenient for the purposes enumerated in Sections
7 1 and 2 herein.

Sect. 7. For the purpose of carrying into effect the pro-
2 visions of this act, there shall be a board of five commis-
3 sioners, whose duty it shall be to perform all such acts
4 for the town as are necessary and convenient for the full
5 operation of this act, and such as may be prescribed by
6 town ordinance or lawfully directed by the Municipal
7 Officers of said town. The first selectman of the town
8 shall be one of said commissioners and shall be chairman
9 of the board. He shall have the same privilege of voting
10 as other commissioners of the board. The other four com-
11 missioners shall be elected by ballot by the qualified voters
12 of the town of Princeton, at a special town meeting duly
13 called therefor, to be held on the third Tuesday in July,
14 1917. The names of all candidates so to be voted for for
15 election to said board shall be filed three days at least before

16 said election day, exclusive of Sundays, with the Municipal
17 Officers of said town, who shall prepare sufficient ballots
18 with the names of all said candidates so filed, written or
19 printed thereon. A voter shall prepare his ballot by placing
20 a cross opposite such name or names on said ballot as he
21 desires to vote for, not exceeding four. The candidate
22 receiving the highest number of votes at said election shall
23 serve for the term of four years; the candidate receiving
24 the next highest number of votes at said election shall serve
25 for the term of three years; the candidate receiving the
26 next highest number of votes at said election shall serve
27 for the term of two years; and the candidate receiving the
28 next highest number of votes at said election shall serve
29 for the term of one year. Their terms of service shall be-
30 gin immediately after their election, but shall date from
31 the date of the next annual town meeting. Thereafter one
32 commissioner shall be elected by ballot annually at the
33 annual town meeting to serve for the term of four years.
34 The result of all elections hereunder shall be declared by
35 said Municipal Officers and due certificate thereof filed
36 with the town clerk. The commissioners may fill any
37 vacancy occurring by death, resignation or otherwise until
38 the next annual town meeting, when a commissioner shall
39 be elected to fill the unexpired term. Municipal Officers of
40 the town of Princeton shall not be eligible for election as
41 commissioners. No person shall be eligible for election,
42 unless he shall have been a bona fide resident of said town

43 at least two years immediately prior to said election. Any
44 commissioner losing his residence in said town, thereby
45 vacates such office of commissioner, and such vacancy shall
46 be filled as aforesaid.

Sect. 8. Said commissioners are authorized to fix the
2 rates for electricity and water supplied as aforesaid, to be
3 paid monthly, quarterly, semi-annually or annually, and in
4 the same manner determine the conditions and methods of
5 such supply, and shall have general charge and control of
6 the town's electrical system and water system.

Sect. 9. Said town of Princeton, by said commission,
2 is authorized for the purpose of carrying into effect the
3 provisions of this act, to dig up and excavate any right of
4 way or highway in said town, or land owned or leased by
5 said town, or taken as hereinbefore provided, construct con-
6 ducts, lay pipes or wires therein, and fill the trenches in
7 said highway under the direction of the road commissioner
8 of said town, or such person as may be acting in that
9 capacity for the time being.

Sect. 10. Whenever said town of Princeton shall under
2 Section 2 of this act take water from any of the sources
3 therein named it shall record in the Registry of Deeds and
4 file in the office of the County Commissioners in the county
5 in which such source of supply is located, a notice of such
6 taking, describing the size, location and depth of the pipe
7 or pipes through which said water is to be taken from said
8 source. The said town of Princeton shall pay all damages

9 sustained by any person, association, partnership or cor-
10 poration by the taking of any water, water source, water
11 right or easement, by the erection of poles and wires, or
12 by any other thing done by said town under the authority
13 of this act, which shall be determined and assessed in the
14 same manner as is provided in Section three for land taken
15 under the provisions of this act.

Sect. 11. If it shall be necessary for said town, by said
2 commission, to lay pipes, aqueducts or wires across or under
3 the tracks or location of any railroad company, and said
4 town shall fail to agree with such railroad company, as to
5 the place, manner and conditions of crossing its railroad
6 with such pipes, equeducts or wires, the Public Utilities
7 Commission shall determine the place, manner and condi-
8 tions of said crossing within thirty days after request by
9 said town by said commission. All work within the limits
10 of the railroad location shall be done under the supervision
11 and to the satisfaction of the officers and agents of the
12 railroad company, but at the expense of said town.

Sect. 12. For the purpose of raising money to carry out
2 any or all of the provisions of this act, the town of Prince-
3 ton may issue at any time its bonds with interest coupons,
4 signed in behalf of said town by the Municipal Officers and
5 the treasurer of said town, when authorized by a vote of
6 said town at a legal town meeting, to an amount which,
7 taken in addition to the other indebtedness of the town,
8 will not exceed the amount limited by the Constitution of

9 Maine. Such bonds shall be signed by the Municipal
10 Officers of the town and the treasurer thereof, but the
11 coupons need be signed by the treasurer only; and the bonds
12 shall be designated and marked "The Princeton Electrical
13 Loan" or "The Princeton Water Loan" or "The Princeton
14 Electrical & Water Loan," as the case may be.

Sect. 13. No salary or other compensation shall be re-
2 ceived by said commissioners for their services herein
3 designated, unless and until voted by said town.