

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 567

House of Representatives, March 15, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

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 Elec-
tricity 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 elec-
5 tricity to, into and throughout said town, and sell and sup-
6 ply the same for lighting streets, buildings and places there-
7 in, public and private, and for heating, power, mechanical
8 and manufacturing purposes, municipal or otherwise, in
9 said town, upon such terms and conditions as may be agreed

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

Sect. 2. Said town, by said commission, is hereby author-
2 ized and empowered to sell, distribute and supply pure water
3 for municipal, domestic, sanitary, mechanical and manufac-
4 turing purposes, in said town, including a sufficient supply
5 for extinguishing fires; and for the purposes aforesaid, to
6 take water from any lake, pond, stream, brook, spring or
7 other water source within said town, and to convey any of
8 the waters aforesaid by aqueducts or pipes under, over or

9 across any water course or railroad, to lay down, construct
10 and maintain aqueducts and pipes under, upon, over and
11 along streets, ways and bridges in said town, in such manner
12 as not unreasonable to obstruct the same, and under or over
13 any land owned or leased by said town or taken as here-
14 inafter provided, and to take up, replace and repair all such
15 aqueducts, pipes or service pipes, to construct, maintain and
16 repair plants, power stations or other buildings, and to do
17 any and all things and acts as may be necessary to carry
18 out the purposes of a complete system of water works, do-
19 ing 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 uses,
3 by purchase, gift, bequest or otherwise any water rights,
4 lands or real estate or interest therein, necessary for flowage,
5 for power for pumping its water supply through its mains
6 and for running its dynamos or other machinery, for mak-
7 ing, generating and supplying electricity, for erecting and
8 maintaining dams, locks and gates, for reservoirs, for
9 erecting and maintaining poles or other supports, for lay-
10 ing 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 and

17 water-shed, for laying and maintaining pipes, aqueducts,
18 hydrants or other structures for taking, conducting, convey-
19 veying, discharging and distributing water, and for rights of
20 way and roadways to be used as approaches to its sources
21 of supply, dams, power stations, reservoirs, mains, aque-
22 ducts, conduits, structures and lands, doing no unnecessary
23 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
4 and file in the office of the county commissioners in the
5 county in which such lands or property lies, plans of such
6 lands and locations, showing the property taken within said
7 county and the names of the owners thereof, and within
8 thirty days thereafter shall publish notice of such taking
9 and filing in some newspaper published in said county
10 wherein said land is taken, such publication to be continued
11 three weeks successively, and such filing in the registry of
12 deeds and office of the county commissioners shall be in lieu
13 of any 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 to
3 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 ap-
6 ply 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 and
2 empowered to contract with any person, firm or corporation
3 to erect, construct and maintain aqueducts, pipes, dams,
4 locks, gates, hydrants, reservoirs, conduits, poles, supports,
5 manufactories, works, or other structures, necessary or
6 convenient for the purposes enumerated in sections one and
7 two 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 for
4 the town as are necessary and convenient for the full opera-
5 tion of this act, and such as may be prescribed by town
6 ordinance or lawfully directed by the municipal officers of
7 said town. The first selectmen of the town shall be one of
8 said commissioners and shall be chairman of the board. He
9 shall have the same privilege of voting as other commission-
10 ers of the board. The other four commissioners shall be
11 elected by ballot by the qualified voters of the town of
12 Princeton, at a special town meeting duly called therefor,
13 to be held on the third Tuesday, in July, nineteen hundred
14 seventeen. The names of all candidates so to be voted for
15 for election to said board shall be filed three days at least
16 before said election day, exclusive of Sundays, with the

17 municipal officers of said town who shall prepare sufficient
18 ballots with the names of all said candidates so filed, writ-
19 ten or printed thereon. A voter shall prepare his ballot by
20 placing a cross opposite such name or names on said ballot
21 as he desires to vote for, not exceeding four. The can-
22 didate receiving the highest number of votes at said election
23 shall serve for the term of four years; the candidate re-
24 ceiving the next highest number of votes at said election
25 shall serve for the term of three years; the candidate re-
26 ceiving the next highest number of votes at said election
27 shall serve for the term of two years; and the candidate
28 receiving the next highest number of votes at said election
29 shall serve for the term of one year. Their terms of ser-
30 vice shall begin immediately after their election, but shall
31 date from the date of the next annual town meeting.
32 Thereafter one commissioner shall be elected by ballot an-
33 nually at the annual town meeting to serve for the term of
34 four years. The result of all elections hereunder shall be
35 declared by said municipal officers and due certificate thereof
36 filed 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.
41 No person shall be eligible for election unless he shall have
42 been a bona fide resident of said town at least two years im-
43 mediately prior to said election. Any commissioner losing

44 his residence in said town, thereby vacates such office of
45 commissioner, and such vacancy shall 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, is
2 authorized for the purpose of carrying into effect the pr
3 visions of this act, to dig up and excavate any right of way
4 or highway in said town, or land owned or leased by said
5 town, or taken as hereinbefore provided, construct conduits,
6 lay pipes or wires therein, and fill the trenches in said high-
7 way under the direction of the road commissioner of said
8 town, or such person as may be acting in that capacity for
9 the time being.

Sect. 10. Whenever said town of Princeton shall under
2 section two 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 corpor-
10 ation by the taking of any water, water source, water right

11 or easement, by the erection of poles and wires, or by any
12 other thing done by said town under the authority of t
13 act, which shall be determined and assessed in the same
14 manner as is provided in section three for land taken under
15 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 un-
3 der 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, aqueducts or wires, the public utilities com-
7 mission shall determine the place, manner and conditions of
8 said crossing within thirty days after request by said
9 commission. All work within the limits of the railroad lo-
10 cation shall be done under the supervision and to the satis-
11 faction of the officers and agents of the railroad company,
12 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, will
8 not exceed the amount limited by the constitution of Maine.
9 Such bonds shall be signed by the municipal officers of the
10 town and the treasurer thereof, but the coupons need be

11 signed by the treasurer only; and the bonds shall be desig-
12 nated and marked "The Princeton Electrical Loan" or "The
13 Princeton Water Loan" or "The Princeton Electrical &
14 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.

Sect. 14. Nothing herein contained is intended to repeal
2 or shall be construed as repealing the whole or any part of
3 any existing statute. And all the rights and duties herein
4 mentioned shall be exercised and performed in accordance
5 with all the applicable provisions of chapter fifty-five of
6 the revised statutes.