

# MAINE STATE LEGISLATURE

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**EIGHTY-FOURTH LEGISLATURE**

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**House Document**

**No. 216**

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H. P. 879.                      House of Representatives, Feb. 6, 1929.

Referred to Committee on Public Utilities and 1000 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Heath of Guilford.

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**STATE OF MAINE**

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**IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE**

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**AN ACT to Incorporate the Guilford and Sangerville Water  
District.**

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

Section 1. The following territory and people within the  
2 same, namely, all that part of the town of Guilford which  
3 lies in lots 7, 8 and 9, range 1, and lots 7, 8 and 9, range 2,  
4 and so much of lot 6, range 1, as lies west of Maxfield  
5 Brook, and that part of the town of Parkman lying east  
6 of land of Peter F. Morin, which said part includes the  
7 homestead of Etta Perkins, Gardiner Foss, Estella Watson,  
8 and Clarence B. Farrar, and such additions as may be made  
9 from time to time, and that part of Sangerville embraced

10 within the following limits, namely, beginning at the north-  
11 west corner of lot No. 2, range 1, thence southerly on the  
12 line between lots 1 and 2 to the range line between ranges  
13 2 and 3, thence easterly along said range line to its intersec-  
14 tion with the lot line between lots 6 and 7, thence northerly  
15 to the Guilford town line, thence westerly on said Guilford  
16 town line to the point of beginning, shall constitute a public  
17 municipal corporation under the name of the Guilford and  
18 Sangerville Water District, for the purpose of supplying  
19 the inhabitants of said district, and also to the several towns  
20 of said Guilford and said Sangerville, or any portion there-  
21 of, with pure water for domestic, sanitary and municipal  
22 purposes, through the pipes of the Guilford Water Com-  
23 pany, and pipes of the Sangerville Water Supply Company,  
24 or otherwise.

Sect. 2. Said water district is hereby authorized and em-  
2 powered to acquire by purchase, or by the right of eminent  
3 domain, which right is hereby expressly delegated to said  
4 water district, the entire plant properties, franchises, rights  
5 and privileges of the Guilford Water Company, and of the  
6 Sangerville Water Supply Company within said district, in-  
7 cluding all lands, rights of way, waters, water rights, dams,  
8 reservoirs, standpipes, pipes, machinery, fixtures, tools,  
9 hydrants, and all apparatus and appliances owned by said  
10 water companies or either of them, used and usable in sup-  
11 plying water in said district either in accordance with a  
12 written contract dated August 10, 1910, by and between said

13 Guilford Water Company and the inhabitants of said town  
14 of Guilford, and a written contract dated Sept. 7, 1910, by  
15 and between the said inhabitants of Sangerville and Charles  
16 N. Taylor, or any contract between either of said water  
17 companies and said inhabitants of said towns of Guilford  
18 or Sangerville, and also all sewer and sewerage rights of  
19 either or both of said water companies.

Sect. 3. The said district for the purposes of its incor-  
2 poration is hereby given the rights granted said water com-  
3 panies either or both, in taking water from Bennett pond in  
4 the town of Parkman and the right to maintain the dam at  
5 its outlet, and all rights of flowage acquired by said water  
6 companies, either or both, under their charters or otherwise  
7 obtained, and is empowered to maintain all the present pipe  
8 lines as the same now exist with the right to maintain the  
9 same, through streets and highways, and to maintain hy-  
10 drants and other fixtures connected with said pipe lines or  
11 hydrants, to maintain the pipe line to the standpipe and also  
12 to maintain said standpipe, to replace, repair, and recon-  
13 struct all and the same, to lay new pipes, set new hydrants  
14 and other fixtures necessary in said streets and highways,  
15 wherever the same can be legally located and maintained  
16 when deemed necessary or advisable, and do any and all  
17 acts necessary and advisable in said streets and highways  
18 and elsewhere in said district for the aforesaid purposes.

Sect. 4. Said district is hereby authorized to take, hold,  
2 divert, use and distribute water from said Bennett pond,

3 and also from Davis ponds at North Guilford, and within  
4 said town of Guilford, for the uses aforesaid, and for the  
5 purposes of its incorporation is hereby authorized to take,  
6 use and hold as for public uses by purchase or otherwise  
7 any land or interest therein for the purpose of laying its  
8 pipes and the right to lay in and through the streets and  
9 highways of said district all such pipes and hydrants as may  
10 be necessary and convenient for its corporate purposes.

Whenever said district shall lay any pipes in any streets  
2 or highways in said district it shall cause the same to be  
3 done with as little obstruction as possible to public travel  
4 and convenience, and shall at its own expense cause the  
5 earth removed to be replaced in proper condition. .

Sect. 5. Said district is hereby authorized for the pur-  
2 poses of its incorporation to erect and maintain all dams,  
3 reservoirs, standpipes and structures necessary and con-  
4 venient for its corporate purposes. And as incident to the  
5 powers of said corporation it may supply persons, firms or  
6 corporations residing or located beyond the limits of said  
7 district in the towns of Abbot, Parkman, Sangerville, and  
8 Guilford, with water when and on such terms as the board  
9 of trustees of said district may determine, and for this pur-  
10 pose said corporation shall have the same rights and powers  
11 and be subject to the same duties and obligations in the  
12 streets and highways in the territory situate outside of said  
13 district as is provided herein in the case of the territory  
14 within said district.

Sect. 6. Said district shall be liable for all damages sus-  
2 tained by any person or corporation in their property by  
3 taking of any land, any water, by flowage, or by excavat-  
4 ing through land for the purposes of said corporation  
5 whether in laying of pipes, building dams and reservoirs, or  
6 otherwise.

If any person or corporation sustaining damage as afore-  
2 said, and said water district shall not mutually agree upon  
3 the sum to be paid therefor, such person or corporation may  
4 cause said damage to be ascertained in the same manner  
5 and under the same conditions, restrictions and limitations  
6 as are or may be prescribed in the case of damages by the  
7 laying out of highways.

Sect. 7. In case of any crossing of railroad unless con-  
2 sent is given by the company owning or operating such rail-  
3 road as to place, manner and conditions of the crossing  
4 within thirty days after such consent is requested by said  
5 district, the public utilities commission shall determine the  
6 place, manner and conditions of such crossing, and all work  
7 done within the limits of such railroad location shall be un-  
8 der the supervision and to the satisfaction of such railroad  
9 company but at the expense of said district.

Sect. 8. All valid contracts now existing and authorized  
2 by the charter of the Guilford Water Company or the char-  
3 ter of the Sangerville Water Supply Company between  
4 either of said water companies and any person or corpora-  
5 tion shall be assumed and carried out by the said district.

Sect. 9. All the affairs of said water district shall be  
2 managed by a board of trustees composed of five members,  
3 all of whom shall be residents of said water district, and  
4 shall be elected in manner following:

The board of selectmen, town clerk, and treasurer of Guil-  
2 ford, shall elect two of said board of trustees who shall be  
3 residents of that part of said Guilford comprised within  
4 the limits of said district, and the board of selectmen, town  
5 clerk, and treasurer of Sangerville, shall elect two of said  
6 board of trustees who shall be residents of that part of  
7 said Sangerville comprised within the limits of said dis-  
8 trict, and the joint boards aforesaid shall elect one of said  
9 board of trustees.

As soon as convenient after said board of trustees have  
2 been so elected, said trustees shall hold a meeting and or-  
3 ganize by the election of a president, and a clerk, adopt a  
4 corporate seal, and when necessary in their judgment choose  
5 a treasurer and all other needful officers and agents for the  
6 proper conduct and management of the affairs of said dis-  
7 trict. At said first meeting they shall determine by lot the  
8 term of office of each trustee so that two shall serve for one  
9 year, two for two years, one for three years, and whenever  
10 the term of office of a trustee expires his successor shall be  
11 elected in manner aforesaid to serve for the full term of  
12 three years, and in case of any vacancy it shall be filled in  
13 like manner for such unexpired term. All said trustees  
14 shall be eligible to re-election, but no selectman of either

15 of said towns of Guilford or Sangerville, town clerk or  
16 treasurer of either of said towns shall be eligible to such  
17 office; said trustees may also ordain and establish such by-  
18 laws as they deem necessary for their own convenience and  
19 the proper management of the affairs of said district, and  
20 may procure an office and incur such expense as they deem  
21 necessary.

Said trustees shall receive in full compensation for services  
2 the sum of fifty dollars annually, or such less sum as said  
3 district may at any legal meeting prescribe.

At the close of each fiscal year said trustees shall make  
2 a detailed report of their doings, of the receipts and ex-  
3 penditures of said district, of its financial and physical con-  
4 dition, and of such other matters and things pertaining to  
5 said district as shall show the inhabitants of said district  
6 how said trustees are fulfilling the duties and obligations  
7 of their trust, such reports to be made and filed with the  
8 municipal officers of said towns of Guilford and Sanger-  
9 ville.

Sect. 10. For accomplishing the purposes of this act said  
2 water district through its trustees is authorized to borrow  
3 money temporarily and to issue therefor the interest bearing  
4 negotiable notes of said district, and for the purpose of re-  
5 funding the indebtedness so created or paying any neces-  
6 sary expenses and liabilities incurred under the provisions  
7 of this act, including the expenses incurred in the creation  
8 of said district, in acquiring the properties and franchises



9 of said Guilford Water Company and said Sangerville Wa-  
10 ter Supply Company, as hereinbefore set out, and paying  
11 any damages on account of taking any land or laying pipes,  
12 constructing, maintaining, and operating a water plant,  
13 making renewals, extensions, additions and improvements,  
14 to the same, said district through its trustees may from  
15 time to time issue bonds of the said district to an amount  
16 or amounts necessary in the judgment of said trustees there-  
17 for. Said notes and bonds shall be legal obligations of said  
18 district, which is hereby declared to be a quasi-municipal  
19 corporation within the meaning of section one hundred five  
20 of chapter fifty-one of the revised statutes, and all the pro-  
21 visions of said section shall be applicable thereto. Said  
22 bonds and notes shall be legal investments for savings  
23 banks.

Sect. 11. The property of said district shall be exempt  
2 from taxation in either of said towns of Guilford or San-  
3 gerville.

Sect. 12. All individuals, firms and corporations, whether  
2 private, public or municipal, shall pay to the treasurer of  
3 said district the rates established by said board of trustees  
4 for the water used by them, and said rates shall be uniform  
5 within the territory supplied by said district. Said rates  
6 shall be so established as to provide revenues for the fol-  
7 lowing purposes:

1. To pay the current expenses for operating and main-

2 taining the water system, and to provide for such extensions  
3 and renewals as may become necessary ;

2. To provide for the payment of interest on the indebtedness created or assumed by said district ;

3. To provide each year a sum equal to not less than one  
2 nor more than five per cent of the entire indebtedness created or assumed by the district, which sum shall be turned  
3 into a sinking fund and there kept to provide for the extinguishment of said indebtedness. The money set aside  
4 for said sinking fund shall be devoted to the retirement of  
5 the obligations of said district or invested in such securities  
6 as savings banks are allowed to hold.

Sect. 13. All incidental powers, rights and privileges  
2 necessary to the accomplishment of the main object herein  
3 set forth are granted to the public municipal corporation  
4 hereby created.

Sect. 14. This act shall take effect when approved by a  
2 majority vote of the legal voters resident within said district by ballot at an election or elections to be specially  
3 called by the selectmen of said Guilford and said Sangerville respectively, upon petitions therefor signed by at least  
4 twenty legal voters resident within that part of said Guilford, and twenty legal voters resident within that part of  
5 said Sangerville, respectively, and held for that purpose at  
6 such time as may be designated by said boards of selectmen  
7 respectively, and such special election or elections shall be  
8  
9  
10

11 called, advertised and conducted according to the law re-  
12 lating to municipal elections.

The town clerk of each of said towns of Guilford and  
2 Sangerville shall reduce the subject matter of this act to  
3 the following question: "Shall the act to incorporate the  
4 Guilford and Sangerville Water District be accepted?" And  
5 the voters shall indicate by the written words "Yes" or  
6 "No" their opinion of the same.

The result shall be declared by the selectmen of each of  
2 said towns of Guilford and Sangerville and due certificate  
3 thereof filed by the town clerk respectively of said towns  
4 of Guilford and Sangerville, with the secretary of state.

Sect. 15. This act shall take effect in ninety days after  
2 the final adjournment of the legislature so far as necessary  
3 to empower the calling and holding of the elections author-  
4 ized in section fourteen herein provided for.