

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIRST LEGISLATURE
OF THE
STATE OF MAINE
1903.

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1903

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

Section 3. Upon the consent of the Bar Harbor Electric Light Company being obtained, said Union River Light, Gas and Power Company may carry out the purposes set forth in its said certificate of organization in said towns of Mount Desert and Tremont.

Section 4. This act shall take effect when approved.

Approved February 6, 1903.

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How purposes may be carried out in Mount Desert and Tremont.

Chapter 11.

An Act to amend chapter two hundred sixty-two of Private and Special Laws of eighteen hundred sixty-three as amended by chapter two hundred sixty of Private and Special Laws of eighteen hundred eighty-seven, and chapter fifty-four of Private and Special Laws of eighteen hundred ninety-nine, entitled "An Act to incorporate the Dover and Foxcroft Village Fire Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. The name of the Dover and Foxcroft Village Fire Company is hereby changed to the Dover and Foxcroft Water District. And all the rights, privileges, franchise and property belonging to said Dover and Foxcroft Village Fire Company shall belong to said Dover and Foxcroft Water District, the same as though originally granted or conveyed to said Dover and Foxcroft Water District, and all liabilities and obligations of the said Dover and Foxcroft Village Fire Company shall be the liabilities and obligations of said Dover and Foxcroft Water District, the same as if incurred by the Dover and Foxcroft Water District. And all suits hereafter brought by or against said corporation shall be in the name of the Dover and Foxcroft Water District whether the cause of action accrues before or after the said change of name.

Name of Dover and Foxcroft Village Fire Company changed.

—Dover and Foxcroft Water District shall own property of.

—shall assume liabilities of.

—suits shall be in name of Dover and Foxcroft Water District.

Section 2. Said Dover and Foxcroft Water District is hereby authorized to raise money by taxation, for the purpose of operating, repairing and extending its water works system, and for the payment of the debts incurred by its purchase, in addition to the purposes now authorized, to be levied and collected in the manner provided by its charter.

May issue money by taxation.

—how levied and collected.

Section 3. Section five of chapter two hundred sixty-two of private and special laws of the year eighteen hundred sixty-three, is hereby amended by inserting after the word "wardens" in the third line thereof, the words, 'And a water board of three members,' so that said section as amended, shall read as follows:

Section 5, chapter 262, laws 1863, amended.

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Officers of
corporation.

'Section 5. The officers of said corporation shall consist of a supervisor, clerk, treasurer, collector, three assessors, four or more fire wardens, and a water board of three members, and such other officers as may be provided for in the by-laws of said corporation. Said fire wardens shall have exclusively all the power and authority within the limits of said corporation that fire wardens chosen by the towns in town meetings now have.'

Section 9,
chapter 262,
laws 1863,
amended.

Section 4. Section nine of chapter two hundred sixty-two of private and special laws of eighteen hundred sixty-three is hereby amended so as to read as follows:

May hire
money.

'Section 9. Said corporation is hereby authorized to hire money, in addition to the bonded indebtedness authorized by section six of this act, not exceeding the sum of five thousand dollars, for any purpose for which it is authorized to raise money by taxation, and may at any legal meeting called for the purpose, authorize its treasurer to hire any sum not exceeding five thousand dollars, on such terms as the corporation may direct, provided, however, that for any purpose except for the repairing or replacing of some part or parts of its water works system it may not hire money as aforesaid, exceeding two thousand dollars.'

—purposes
for which tax
may be
levied.—purposes for
which money
may be hired.—to pay
current
expenses.—to pay
interest on
bonds.—to provide
sinking fund.—disposition
of sinking
fund.Annual
sinking fund
fixed.May sell
power.

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

2. To provide for payment of interest on the bonded indebtedness of said district.

3. To provide each year a sum which together with the money provided for in section eight of this act shall be equal to not less than one nor more than three per cent of the purchase price of said water system, which sums shall be turned into a sinking fund to provide for the final extinguishment of the bonded debt. The amount set aside for the sinking fund shall be devoted to the retirement of the district's bonded obligations, or invested in such securities as savings banks are allowed to hold, said fund shall be invested by the treasurer under the direction of said water board.

Section 8. Said Dover and Foxcroft Water District shall annually set aside for a period of thirty years, a sum not less than one thousand seven hundred dollars, to be turned into the sinking fund described in paragraph three of section seven of this act, and may raise the whole or any part thereof by taxation.

Section 9. Said Dover and Foxcroft Water District is hereby authorized to sell or lease for manufacturing purposes any power on its dam at Pratt's Rips, so called, at its pumping station, not used by it for supplying water for its water works system,

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provided, however, that such sale or lease shall be subject to a reservation of sufficient power for said Dover and Foxcroft Water District for its present or future needs, in supplying water to its said water system, and the extensions thereof.

Section 10. Said water district is hereby authorized to take and hold by purchase or otherwise any land or real estate necessary for reservoirs, or for preserving purity of the water and watersheds, and for laying and maintaining aqueducts for conducting, discharging, distributing and disposing of water.

May take and hold real estate.

Section 11. Said district shall be liable for all damages that shall be sustained by any person or corporation in their property by taking of any land whatsoever or by excavating through any land for the purpose of laying any pipes or constructing reservoirs. If any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damage to be ascertained in the same manner and under the same conditions, restrictions and limitations as are or may be prescribed in case of damages by laying out of highways.

Shall be liable for damages.

—how damage may be ascertained.

Section 12. The corporate property of the said district shall be exempt from taxation.

Property exempt from taxation.

Section 5. The water board of three members provided for by section three of this act, shall be chosen by ballot at the special meeting of said corporation provided for by this act, one for one year, one for two years and one for three years, and whenever the term of office of a member of said board expires, his successor shall be chosen by ballot to serve the full term of three years, and in case of a vacancy on said board by death or resignation, such vacancy shall be filled in like manner for the unexpired term. Said water board shall have the full management and control of the water works system now owned by said corporation, and establish such rules and regulations as may be necessary for the convenient and proper management of said water works system, employ a superintendent and such other labor as may be necessary for the proper operation of said water works system, fix the amount of the water rentals which shall be uniform throughout said district, and do all things necessary for the proper operation of said system. They shall approve all bills due from the district before payment by the treasurer. They shall meet twice each year on the first Tuesdays of April and October at the office of the district, at which meetings they shall examine and audit the accounts of the superintendent and treasurer. They shall receive for their services five dollars each for each semi-annual meeting actually attended. They may meet at such other times as they may deem necessary for the welfare

Water board, how chosen.

—tenure of office.

—powers.

—shall employ superintendent.
—shall fix rentals.

—shall audit accounts.

—compensation.

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of said system, for which additional meetings they may receive two dollars each for each such meeting actually attended.

May issue
bonds.

Section 6. Said Dover and Foxcroft Water District is authorized to issue its bonds in amount not exceeding one hundred and forty thousand dollars, for such purposes and on such terms and conditions as it may deem expedient. Said bonds shall have interest coupons attached. Said bonds shall be signed in behalf of said corporation by its treasurer and countersigned by its assessors, and the coupons attached thereto shall be impressed by the facsimile of the signature of its treasurer. Said bonds shall be a legal obligation of said water district, which is hereby declared to be a quasi municipal corporation within the meaning of section fifty-five, chapter forty-six of the revised statutes, and all of the provisions of said section shall be made applicable thereto. Said bonds, it is hereby declared, shall be public funds of the state of Maine, within the meaning of section one of chapter one hundred and sixty-one of the public laws of eighteen hundred and ninety-five.

—is quasi
municipal
corporation.

—shall be
public funds
of the state
of Maine.

Section 7. All individuals, firms and corporations, whether private, public or municipal, shall pay to said district the rates established by said water board, for all water used by them. Said rates shall be so established as to provide revenue for the following purposes.

Individual
firms and
corporations
shall pay
rates
established
by water
board.

Section 13. The proceedings of the Dover and Foxcroft Village Fire Company in calling, holding and acting in a meeting of said corporation held at the engine house of said company in Foxcroft village on the fifteenth of November, in the year of our Lord, nineteen hundred and two, and by adjournment to the town hall in the town of Foxcroft on said date, and all votes, acts and doings of said corporation at said meetings are hereby ratified, confirmed and made valid.

Proceedings
of Dover and
Foxcroft
Village Fire
Company
made valid.

Section 14. The existing debt due from the Dover and Foxcroft Village Fire Company to an association of men in Dover and Foxcroft called the Water Syndicate is hereby ratified, confirmed and made valid, and the contract between the Dover and Foxcroft Village Fire Company and the Water Syndicate dated the twenty-second day of November, nineteen hundred and two, is hereby ratified, confirmed and made valid.

Debt to
Water
Syndicate
made valid.

—contract
made valid.

Section 15. Said district may at a special meeting called and held in accordance with its previous votes and by-laws, as soon as may be after the approval of this act by the governor, vote to issue the bonds authorized by section six of this act, and choose the water board provided for in section three of this act. The expiration of the terms of office of said water board shall be in

District may
issue bonds
after
approval of
this act.

one, two and three years, respectively from the next annual meeting of said district.

Section 16. This act shall take effect when approved.

Approved February 6, 1903.

Chapter 12.

An Act to grant additional powers to the Portsmouth, Kittery and York Street Railway.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. The Portsmouth, Kittery and York Street Railway for the purpose of improving the alignment of its road, for changing the grades thereof, for switches, turnouts, side tracks, spur tracks, stations, car barns, gravel pits or power houses, may purchase and take, hold as for public uses any land and all materials in and upon it, except meeting houses, dwelling houses, public or private burying grounds, or land already devoted to any railroad use and may excavate or construct in, through or over such land to carry out its purposes, but the land so taken for switches, spur tracks and side tracks shall not exceed four rods in width unless necessary for excavation, embankment or material. All lands so taken except for switches, turnouts and side tracks shall be subject to the provisions of section sixteen of chapter fifty-one of the revised statutes. It may enter upon such lands to make surveys and locations, and plans of all locations so taken shall be filed with the clerk of courts in the county of York, and when so filed such land shall be deemed and treated as taken. All damages therefor shall be estimated and paid as in the case of taking lands for railroads.

May take land.

—damages, how determined.

Section 2. The Portsmouth, Kittery and York Street Railway is hereby authorized to sell or lease its property and franchises to any street railroad whose lines as constructed or chartered would form connecting or continuous lines with the lines of said Portsmouth, Kittery and York Street Railway as constructed or chartered, and in such case the corporation so purchasing or leasing such property and franchises shall be entitled to all the privileges and be subject to all appropriate conditions and limitations contained in the charter and franchise of said Portsmouth, Kittery and York Street Railway. Any street railroad company whose lines as constructed or chartered would form connecting or continuous lines with the lines of the said Portsmouth, Kittery and York Street Railway as constructed or chartered is hereby authorized so to purchase or lease the property and franchises of the said Portsmouth, Kittery and York Street Railway.

May sell or lease its property to connecting lines

—privileges and limitations.