

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1905.

Chapter 53.

An Act to amend and extend the charter of the Millinocket Trust Company.

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

Section 1. Section four of chapter one hundred and sixty-one of the private and special laws of nineteen hundred and three is hereby amended by striking out the word "fifty" in the second line thereof and the word "fifty" in the seventh line thereof and substituting therefor in each place the words 'twenty-five,' so that said section as amended, shall read as follows:

Section 4,
chapter 161,
private and
special laws
1903,
amended.

'Section 4. The capital stock of said corporation shall not be less than twenty-five thousand dollars, divided into shares of one hundred dollars each, with the right to increase the said capital stock at any time, by vote of the shareholders, to any amount not exceeding five hundred thousand dollars. Said corporation shall not commence business as a trust or banking company, until stock to the amount of at least twenty-five thousand dollars shall have been subscribed and paid in, in cash.'

Capital stock.

—shall not
commence
business until
\$25,000 shall
have been
paid in.

Section 2. The time within which the Millinocket Trust Company must organize and commence business under its charter as hereby amended is hereby extended until two years from the date of the approval of this act.

Charter
extended.

Section 3. This act shall take effect when approved.

Approved February 17, 1905.

Chapter 54.

An Act to amend Chapter eleven of the Private and Special Laws of nineteen hundred and three, relating to the Dover and Foxcroft Water District for the purpose of correcting errors therein, making the sections of said chapter read consecutively, and to ratify the acts heretofore done by said district under said Chapter eleven.

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

Section 1. Chapter eleven of private and special laws of the year nineteen hundred and three, relating to the Dover and Foxcroft Water District entitled "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 hun-

Acts relating
to Dover and
Foxcroft
Water
District,
amended.

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dred ninety-nine, entitled "An Act to incorporate the Dover and Foxcroft Village Fire Company," is hereby amended, so that said chapter eleven shall read as follows:

Name changed.

'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.'

—transfer of rights, franchise and property.

—liabilities and obligations.

—suits, how to be brought.

May raise money by taxation.

'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.'

Section 5, amended.

'Section 3. Section five of chapter two hundred and sixty-two of private and special laws of the year eighteen hundred and 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:

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, amended.

'Section 4. Section nine of chapter two hundred sixty-two of private and special laws of eighteen hundred and 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 pur-

—limitation.

pose, 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.'

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

Water board.

—how chosen.

—tenure.

—successors,
how chosen.—vacancies,
how filled.

—powers.

—superinten-
dent.—meetings
of board.—compensa-
tion.

'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 fac-simile 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

May issue
bonds.

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—bonds shall be public funds of the state of Maine.	revised statutes, and all 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 one thousand eight hundred and ninety-five.'
Rates.	'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:
Running expenses.	1. To pay the current running expenses for maintaining the water system, and provide for such extensions and renewals as may become necessary.
Payment of interest.	2. To provide for payment of interest on the bonded indebtedness of said district.
Sinking fund.	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.'
Amount of annual sinking fund.	'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 a sinking fund described in paragraph three of section seven of this act, and may raise the whole or any part thereof by taxation.'
May sell or lease powers.	'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, 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.'
—limitation.	'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 water sheds, and for laying and maintaining aqueducts for conducting, discharging, distributing and disposing of water.'
May take and hold land for certain purposes.	

'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.'

Liability for damages.

—damages, how ascertained.

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

Exemption from taxation.

'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.'

Former proceedings 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.'

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

May issue bonds.

Section 2. The application already made by the water board of the revenues created under section seven of chapter eleven of the private and special laws of the year nineteen hundred and three, to the purposes enumerated in paragraphs one, two and three of section seven of this amended act, are hereby declared as legal and effectual as though said chapter eleven had read the same as it now reads in its corrected form.

Former use of revenues made valid.

Section 3. This act shall take effect when approved.

Approved February 17, 1905.