

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

Chapter 289.

An Act to incorporate the Livermore Falls Sewer District.

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

Limits of water district fixed.

Section 1. The following described territory, and the people within the same, namely, so much of the town of East Livermore, in the county of Androscoggin, as is bounded as follows: beginning on the easterly bank of the Androscoggin river, at the northwest corner of the farm now occupied by John W. Johnson; thence in a straight line, in an easterly direction, to the point where the road leading past the premises known as the Lewis Wyman farm intersects with the road leading from Livermore Falls village to East Livermore depot; thence northerly by said Wyman road past the premises now occupied by Herbert Bean to the line between the counties of Franklin and Androscoggin and the towns of Jay and East Livermore; thence westerly by said county and the town line to the Androscoggin river; thence southerly by said river to the point of beginning, shall constitute a body politic and corporate under the name of the Livermore Falls Sewer District, for the purpose of providing in the village of Livermore Falls, in said town of East Livermore, a system of public sewers, drainage and such other facilities, conveniences and improvements, as they may deem for the comfort, convenience and health of the people of said village, with all the rights, privileges and immunities incident to similar corporations.

--corporate name.

--purposes.

May acquire real and personal estate.

Section 2. Said sewer district may acquire and hold real estate and personal estate, necessary and convenient for the purposes aforesaid, and is hereby authorized to take and hold by purchase or otherwise any land or real estate or easement therein necessary for forming basins, reservoirs and outlets; for erection of buildings for pumping works and for laying pipes and maintaining same and laying and maintaining conduits for carrying and collecting, discharging and disposing of sewerage matter and waters and for other objects necessary, convenient and proper for the purposes of this act.

Shall be liable for damages.

Section 3. Said district shall be liable to pay all damages that shall be sustained by any person or corporation in their property by taking of any land or easement therein, under the provisions of this act, and if any person sustaining damage as aforesaid, and said district shall not mutually agree upon the sum to be paid therefor such person may cause his damages to be ascertained in the same manner and under the same conditions and limitations as are by law prescribed in the case of damages by the laying out of highways.

--damages, how ascertained.

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May lay
pipes, etc.

Section 4. Said district may lay pipes and construct conduits in manner aforesaid in and through said district to the Androscoggin river and the discharge therefrom shall be at such points as is shown by the plan therefor made by John A. Jones, civil engineer, but in any event below the present tail-race of the mills of the International Paper Company, as shall be most reasonable and convenient for said district; and convey through the same sewerage surface water and the natural flowage of existing water courses, and secure and maintain basins, reservoirs and outlets; may build and maintain pumping stations and buildings convenient for same; may construct and maintain flush-tanks, manholes, lampholes, and such usual appliances for collection, holding, distributing and disposing of sewerage matter; may provide water for such flush-tanks and for flushing said system of sewers and for any other purposes for which said company may deem the same desirable, and install all pipes and necessary structures and appliances to this end; may establish regulations for the use of sewers and fix and collect the prices to be paid for entering the same, also the annual rental for using thereof; and said corporation is hereby authorized for the purposes aforesaid to lay down, in and through the streets, highways and lands of said district, and take up, replace and repair all such conduits, pipes and fixtures as may be necessary or desirable for the objects of its incorporation; to carry and lay conduits and pipes under any water course, railway or private way, and to cross any drain or sewer, or, if necessary, to change its direction in such a manner not to obstruct the use thereof, for placing manholes or other fixtures and for maintaining and repairing the same, and in general to do any other acts or things necessary, convenient and proper to be done for the purposes of this act.

--may build
pumping
stations.

--may provide water
for flush
tanks.

--may fix
rates for
entering
sewer.

Section 5. Said district shall file in the registry of deeds for the county of Androscoggin, a certificate containing a description of land taken or in which an easement may be taken under the provision of this act and a statement of the purposes for which it is taken, to be recorded by the register, and such land or easement shall be deemed to be taken upon the filing of said certificate.

Shall file
description
of land
taken.

Section 6. Any person who shall place or leave any offensive or injurious matter or materials in the conduits, catch basins or receptacles of said corporation, contrary to its regulations, or shall wilfully injure any conduit, pipe, reservoir, flush-tank, catch basin, manhole, lamp-hole, outlet, engine, pump or other property held, owned or used by said corporation for the purposes of this act, shall pay twice the amount of damages, to

Injury to
works for-
bidden.

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—penalty.

said corporation, to be recovered in any proper action; and such person on conviction of either of said acts of wilful injury aforesaid shall be punished by a fine not exceeding two hundred dollars and by imprisonment not exceeding one year.

Liability of district for injury to persons.

Section 7. Said district shall be liable to any person injured by any fault of said corporation or its agents, or any defect in the highways occasioned by the construction of the works of said company during said construction or after the same has been completed, or while the same shall be undergoing repairs, or extensions are being made; and said corporation shall also be liable to the town of East Livermore for any and all costs, damages and expenses which said town may suffer or be put to by reason of the defaults, neglect, negligence or carelessness of said corporation or any of its officers, servants or agents.

—liable to town for certain damages.

Board of trustees.

Section 8. All the affairs of said sewer district shall be managed by a board of trustees composed of three members, all to be residents of said district, to be chosen by the selectmen of the town of East Livermore, but no member of the board of selectmen shall during the term for which he is elected be chosen one of said board of trustees. As soon as convenient after the members of said board have been chosen, said trustees shall hold a meeting at the office of the selectmen in the town of East Livermore, and organize by the election of a president and clerk, adopt a corporate seal and when necessary choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of said district. At said first meeting they shall determine by lot the term of office of each trustee so that one shall serve for one year, one for two years, and one for three years; and when the term of office of a trustee expires the said selectmen of the town of East Livermore shall appoint a successor to serve the full term of three years; and in case of any other vacancy arising it shall be filled in like manner for the unexpired term. They may also ordain and establish such by-laws as are necessary for their own convenience and the proper management of the affairs of the district. The term of office of trustees shall begin on the first Monday of May. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services an allowance of one hundred dollars per annum.

—how chosen.

—election of officers of.

—tenure, how fixed.

—compensation of trustees.

May issue bonds.

Section 9. For accomplishing the purposes of this act said sewer district, through its trustees is authorized to issue its bonds to an amount sufficient to procure funds to pay the expense incurred for the purposes authorized by this act. Said bonds shall be a legal obligation of said sewer district which

is hereby declared to be a quasi municipal corporation within the meaning of section ninety-six, chapter forty-eight of the revised statutes, and all the provisions of said section shall be applicable thereto. The said bonds shall be a legal investment for savings banks.

Section 10. All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said district the rates established by said board of trustees for the entrance and use of said sewer, and said rates shall be uniform within the territory served by said district. Said rates shall be so established as to provide revenue for the following purposes:

1. To pay the current running expenses for maintaining said district and provide for such extension and renewals as may become necessary.

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

3. To provide a sum each year equal to not less than one-half of one per cent nor more than two per cent of the entire indebtedness of the district, which sum shall be turned into a sinking fund to provide for the final extinguishment of the funded debt. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the district or invested in such securities as savings banks are allowed to hold.

4. If any surplus remains at the end of the year it may be paid to the treasurer of the town of East Livermore for the use of said town.

Section 11. At any time should the income of said district be insufficient to meet all the obligations set forth in section ten of this act, the whole or any part of this deficit may be raised by taxation; which tax shall be assessed and collected, on the property within the district, in the same manner as municipal taxes are assessed and collected.

Section 12. All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the corporation hereby created.

Section 13. The corporate property of said district shall be exempt from taxation.

Section 14. This act shall take effect when approved by a majority vote of the legal voters within said district at an election to be specially called and held for the purpose within sixty days after the approval of this act as the selectmen of the town of East Livermore may determine. The said board of selectmen shall make and provide a separate check list for such of

Payment of rates.

—running expenses.

—interest.

—sinking fund.

—surplus, if any.

Deficit, how provided for.

Incidental powers granted.

Exemption from taxation.

Act shall take effect after affirmative vote of town.

—manner of conducting the election.

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the voters within said district as are then legal voters within said district and all warrants issued to said district shall be varied accordingly to show that only such voters therein are entitled to vote hereon. Such election shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the selectmen shall not be required to prepare or the town clerk to post a new list of voters and for this purpose said board shall be in session the two secular days next preceding such election, the first day thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said list and to complete and close up its records of said sessions. The town clerk shall reduce the subject matter of this act to the following question: 'Shall the act to incorporate the Livermore Falls Sewer District be accepted?' and the voters shall indicate by depositing a ballot in the ballot box with the word 'yes' or 'no' on the same, their opinion of the same. The result shall be declared in open meeting and due certificate thereof filed by the town clerk with the secretary of state. This act shall take effect when approved by the governor as necessary to empower the calling and holding of such election.

--form of
ballot.

Section 15. This act shall take effect when approved.

Approved March 19, 1907.

Chapter 290.

An Act to regulate ice fishing in Lake Annabessacook, in the County of Kennebec.

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

Ice fishing in
Annabessa-
cook, to
regulate.

Section 1. It shall be lawful to fish through the ice, as provided in the general law of the state, on Saturday of each week during February and March of each year, in lake Annabessacook, in the county of Kennebec.

Penalty for
violation of
this act.

Section 2. Whoever violates any of the provisions of this act shall be subject to the same penalty as is provided in the general law of the state for illegal fishing.

Section 3. This act shall take effect when approved.

Approved March 19, 1907.