

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

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said corporation shall purchase, lease or otherwise acquire from the owner or owners thereof the land on which said two last mentioned dams are located.

Section 3. The capital stock of said corporation shall be ten thousand dollars, which shall be paid in or be subscribed for in good faith before the company shall flow any lands not belonging to said company. Said company shall have power to issue bonds for such amounts as may be required and secure said bonds by mortgages upon the property and franchises of the company.

Capital stock.

—may issue bonds, secured by mortgage of its property.

Section 4. Suitable sluice-ways for log driving purposes shall be constructed and maintained by said company until June twentieth of each year and the owner of any logs to be floated down said brook shall have the right before said date to open said sluices and use the water stored thereby for floating said logs.

Sluice-ways for log driving shall be maintained.

Section 5. All damages, sustained by reason of flowage unless otherwise agreed upon shall be determined according to the laws regulating flowage damages.

Damage for flowing land, how determined.

Section 6. The first meeting of said corporation may be called by a written notice thereof signed by any incorporator herein named and served in hand or mailed postage paid at least seven days prior to the day named therein for such meeting, unless notice is waived in writing by all the incorporators.

Notice of first meeting, how given.

Approved March 27, 1911.

Chapter 201.

An Act to incorporate the Guilford Water District.

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

Section 1. The following territory and the people within the same, namely, all that part of the town of Guilford which lies in lots seven, eight and nine range one, and in lots seven, eight and nine range two, and so much of lot six range one as lies south of the north line of said lot six range one and west of the Wharff road, so-called, and a line extended in the same course as said Wharff road to the center of Piscataquis river; and that part of the town of Parkman beginning at the northeast corner of land of S. O. Harrington on the town line between Guilford and Parkman, thence south on his east line to his southeast corner, thence west on his south line to the highway leading from Guilford to Parkman; thence south on said highway to the southeast corner of land of Charles A. Skillings, thence west on his south line to his southwest corner, thence

Territorial limits of Guilford Water District.

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north on said Skillings' west line and the west line of land of Walter Page to the town line between Guilford and Parkman, thence east, north and east on the town line between said Guilford and Parkman to the point begun at, shall constitute a public municipal corporation under the name of the Guilford Water District for the purpose of supplying the inhabitants of said district and the village of Sangerville through the pipes now connected with the system of the Guilford Water Company with pure water for domestic, sanitary and municipal purposes. Said district may furnish said water through said pipes on such terms and conditions as shall be agreed upon between said district and the Sangerville Water Supply Company. The terms of said contract shall be based upon the expense incurred at Bennett pond from which said water is taken and the expense in laying the main pipe from said pond to the standpipe, the expense of the standpipe and the cost of maintenance of the works at the pond, the main line and said standpipe. Of all this expense, said Sangerville Water Supply Company in its rental is to pay its proportional part with the Guilford Water District based on the number of faucets and hydrants in each town.

—corporate name.
—purposes.

—terms and conditions of supplying water.

—terms of contract, how based.

May acquire plant of Guilford Water Company.

—Including lands, water rights, dams, etc.

Section 2. Said water district is hereby authorized and empowered to acquire by purchase the entire plant, property and franchises, rights and privileges now held by the Guilford Water Company within said district, including all lands, rights of way, waters, water rights, dams, reservoirs, standpipes, pipes, machinery, fixtures, hydrants, tools, and all apparatus and appliances owned by said Guilford Water Company and used or usable in supplying water in said district in accordance with the written contract entered into on the tenth day of August, one thousand nine hundred and ten, by and between said Guilford Water Company and the inhabitants of the town of Guilford.

Given all the rights of Guilford Water Company in taking water, rights of flowage, maintaining pipe lines, etc.

Section 3. Said corporation is hereby given all the rights granted to the said Guilford Water Company in taking water from Bennett pond in the town of Parkman, and the right to maintain the dam at the outlet of said Bennett pond, and all the rights of flowage acquired by said Guilford Water Company under its charter in taking water from said pond, and is empowered to maintain all the present pipe lines where said lines now are laid from said Bennett pond to the village of said Guilford, and the right to maintain all the present pipe lines in the streets and highways in said district wherever said lines are now laid, and to maintain all hydrants and other fixtures connected with said pipe lines or hydrants, and to maintain the

pipe lines to the standpipe, and the right to maintain said standpipe, to replace, reconstruct or repair all the same, and to lay new pipes to set new hydrants and other fixtures necessary in the streets and highways in said district wherever the same can be legally located when deemed necessary or advisable, and may do all necessary acts and things in said streets and highways or elsewhere in said district for the aforesaid purposes.

Section 4. Said district is hereby authorized to take, hold, divert, use and distribute water from said Bennett pond for the uses aforesaid, and for the purposes of its incorporation is hereby authorized to take and hold as for public uses by purchase or otherwise any land or interest therein for the purpose of laying its pipes, and the right to lay in and through the streets and highways within said district all such pipes and hydrants as may be necessary and convenient for its corporate purposes. Whenever said district shall lay any pipes in any street or highway in said district it shall cause the same to be done with as little obstruction as possible to public travel, and shall at its own expense without unnecessary delay cause the earth removed by it to be replaced in proper condition.

May take water from Bennett pond.

—may take land.

—lay pipes in and through streets.

—shall not unnecessarily obstruct public travel.

Section 5. Said district is hereby authorized for the purposes of its incorporation to erect and maintain all dams, reservoirs and structures necessary and convenient for its corporate purposes. And as incident to the powers of said corporation it may supply persons, firms or corporations residing or located beyond the limits of said district in the towns of Abbot, Parkman and Guilford with water when and on such terms as the board of trustees of said district may determine, and for this purpose said corporation shall have the same rights and powers and be subject to the same duties and obligations in the streets and highways in the territory situate outside of said district as is provided herein in the case of the territory within said district.

May maintain dams and reservoirs, etc.

—may supply water beyond limits of district.

Section 6. Said district shall be liable for all damages that shall be sustained by any person or corporation in their property by the taking of any land whatsoever, or water, or by flowage, or by its excavating through any land for the purpose of laying pipes, building dams, 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 damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are or may be prescribed in the case of damages by the laying out of highways.

Liable for all damages occasioned by the taking of lands or by flowage.

—damages, how ascertained, if parties cannot agree.

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Manner of crossing railroad, if consent is not given, how determined.

Section 7. In case of any crossing of a railroad unless consent is given by the company owning or operating such railroad as to place, manner and conditions of the crossing within thirty days after such consent is requested by said district, the railroad commissioners shall determine the place, manner and conditions of such crossing, and all work within the limits of such railroad location shall be done under the supervision and to the satisfaction of such railroad company but at the expense of the district.

Existing contracts valid.

Section 8. All valid contracts now existing and authorized by the charter of the Guilford Water Company between said water company and any person or corporation shall be assumed and carried out by said Guilford Water District.

Affairs shall be managed by board of trustees elected by voters of district, at special election.

Section 9. All the affairs of said district shall be managed by a board of trustees composed of three members to be elected by a plurality vote of the legal voters within said district at an election to be specially called and held therefor within thirty days after the approval of this act by the legal voters of said Guilford Water District. Such special election shall be called, advertised and conducted according to the law relating to municipal elections in said town of Guilford. The result of such election shall be declared by the municipal officers and due certificate thereof filed by the town clerk thereof. The term of office of the trustees shall begin on the first Monday of May in each year after the approval of this act. As soon as convenient after the members of such board have been chosen said trustees shall hold a meeting at the town office in the town of Guilford and organize by the election of a president and a clerk, adopt a corporate seal, and when necessary may choose a treasurer and all other needful officers and agents for the proper conduct and management of the affairs of said district. 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. At said first meeting the trustees so elected shall determine by lot the term of office of each trustee so that one trustee shall retire each year; and whenever the term of office of a trustee expires his successor shall be elected by a plurality vote by the legal voters of the said water district; and for the purpose of such election a meeting of said water district shall be called and held on the first Monday of May in each year, after the approval of this act the same to be called in the manner hereinbefore provided for the first election of trustees. The trustees so elected shall serve the full term of three years, and in case any vacancy arises in the membership of the board of trustees it shall be filled in like manner for the

—election, how called.

—how declared.

—tenure of trustees.

—trustees shall organize and elect officers, and adopt corporate seal.

—may establish by-laws

—tenure of trustees.

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unexpired term by special election to be called by the municipal officers of the town of Guilford. All such trustees shall be eligible to re-election but no person holding a municipal office in said town of Guilford shall be eligible to election as said trustee. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation of his services an allowance of fifty dollars per annum. At the close of each fiscal year the trustees shall make a detailed report of their doings, of the receipts and expenditures of said water district, of its financial and physical condition, and of such other matters and things pertaining to said district as shall show the inhabitants of said district how said trustees are fulfilling the duties and obligations of their trust, such reports to be made and filed with the municipal officers of the town of Guilford.

—eligible to re-election.
—restriction.

—compensation.

—shall make reports.

Section 10. For accomplishing the purposes of this act said water district through its trustees is authorized to borrow money temporarily and to issue therefor the interest bearing negotiable notes of the district, and for the purpose of refunding the indebtedness so created, or paying any necessary expenses and liabilities incurred under the provisions of this act, including the expenses incurred in the creation of the district, in acquiring the properties and franchises of the Guilford Water Company as hereinbefore set out, and paying any damages on account of taking any land or rights in land or laying pipes, constructing, maintaining and operating a water plant, and making renewals, extensions, additions and improvements to the same, the said water district through its trustees may from time to time issue bonds of the district to an amount or amounts necessary in the judgment of the trustees therefor. Said notes and bonds shall be legal obligations of said water district which is hereby declared to be a quasi municipal corporation within the meaning of section ninety-six of chapter forty-seven of the revised statutes, and all the provisions of said section shall be applicable thereto. The said notes and bonds shall be legal investments for savings banks.

Trustees may borrow money and issue notes.

—may issue bonds from time to time.

—bonds shall be legal obligations of water district.

—and legal investments for savings banks.

Established water rates shall be paid to treasurer of district.

—rates shall be uniform and to provide revenue for.

—current expenses.

Section 11. 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 water used by them, and said rates shall be uniform within the territory supplied by the district. Said rates shall be so established as to provide revenue for the following purpose:

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

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—interest.

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

—sinking fund.

3. To provide each year a sum equal to not less than one nor more than five per cent of the entire indebtedness created or assumed by the district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. 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.

—money set aside for sinking fund, how devoted.

All necessary rights and powers granted.

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

Act shall take effect when approved by major vote of voters of district.

Section 13. This act shall take effect when approved by a majority vote of the legal voters of the said Guilford Water District, voting at an election to be specially called and held for the purpose on the first Saturday of September, one thousand nine hundred and eleven. Such special election shall be called, advertised and conducted according to the law relating to municipal elections. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Guilford Water District be accepted?" And the voters shall indicate by the written words "Yes" or "No" their opinion of the same. The result shall be declared by the selectmen and due certificate thereof filed by the town clerk with the secretary of state.

—election, how called and conducted.

—form of question to be submitted.

—result, how declared.

—if not approved at first meeting, may be at subsequent meeting.

In case this act is not approved by a majority vote of the legal voters of said Guilford Water District at its first meeting on the said first Saturday of September, one thousand nine hundred and eleven, it may be approved at any subsequent meeting not later than the first day of October, one thousand nine hundred and twelve, by a majority vote of said voters, said subsequent meeting or meetings to be called, advertised and conducted in the same manner as the meeting on the first Saturday of September, one thousand nine hundred and eleven.

This act shall take effect.

Section 14. This act shall take effect when approved by the governor so far as is necessary to empower the calling and holding of the election authorized in section thirteen.

Approved March 27, 1911.