

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

**1913**

Including Acts and Resolves of the Special Session held  
in 1912.

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

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

***1913***

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## CHAP. 19

Charter amended by striking out names of certain incorporators.

Section 2. Said charter is amended by striking therefrom as incorporators, the names of Elizabeth S. Haynes, J. Henry Sturgis, Frank E. Smith, George L. Smith, Fred H. Appleton, William J. Lanigan, Frank E. Boston, E. Payson Viles, and Samuel W. Philbrick, and inserting in place thereof the names of Blin W. Page, Walter G. Taylor, Earl R. Taylor, Joseph C. Viles, Marshall C. Viles and Alton B. Carl, so that section one of said charter, as amended, shall read as follows:

Corporators as amended.

'Section 1. Blin W. Page, Walter G. Taylor, Earl R. Taylor, Joseph C. Viles, Marshall C. Viles, Alton B. Carl, C. Guy Hume and Chauncy S. Skinner, their associates, successors and assigns are hereby incorporated under the name of Baker and Spencer Brook Dam and Improvement Company, with all the powers and privileges of similar corporations.'

Approved February 14, 1913.

## Chapter 19.

An Act to Create the Cherryfield Water District.

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

Territorial limits established.

Section 1. The following described territory, and the people within the same, namely: So much of the town of Cherryfield, in the county of Washington, beginning on the west side of the Narraguagus River on the south line of the Sturgis Field, so called, thence westerly on south line of said Sturgis Field, so called, thence westerly on south line of said Sturgis Field to the highway leading to Milbridge, thence across said road, or highway to the south line of the Colson lot, so called, thence following said Colson line and said Colson line extended westerly to the town line between said Cherryfield and Steuben, thence northerly following said town line to the line of the Washington County Railroad, thence easterly following said railroad to the east line of Judson M. Willey's land, thence northerly following said Willey's line to the County Road leading to Franklin, thence across said road and following the west line of land of the heirs of Alexander and David W. Campbell to the Stillwater Pond, thence easterly by said Stillwater Pond to the Dorman Creek on the east side of said Stillwater Pond, thence in a straight line to the southwest corner of the John Thompson pasture, so called, thence following the south line of said Thompson pasture, to the road leading from Cherryfield to Deblois, thence in a straight line to the southwest corner of the Richard Willey Cemetery, thence southerly in a straight line to the southeast corner of the A. B. Willey field, so called,

on the road leading to the Willey District, thence in a straight line to the northwest corner of the town of Milbridge, thence following the town line of Milbridge southerly to the Narraguagus River, thence by said river northerly to the point of beginning, shall constitute a body politic and corporate under the name of the Cherryfield Water District, for the purpose of supplying the inhabitants of said district and persons or parties adjacent to said district with pure water for domestic, sanitary, manufacturing and municipal purposes.

—corporate name.  
—purposes.

Section 2. Said corporation is hereby authorized for the purpose aforesaid to take water from Schoodic Pond, so called, in the towns of Cherryfield and Columbia and Township number eighteen, in Washington County, State of Maine, to erect and maintain reservoirs and standpipes, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing water, and forming proper reservoirs therefor, and said corporation may take and hold by purchase or otherwise any lands or real estate necessary therefor, and may excavate through any lands when necessary for the purpose of this corporation.

Authorized to take water from Schoodic Pond.

—may lay pipes, etc., for its purposes.

—may purchase or take lands.

Section 3. Said Water 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 excavating through any land for the purpose of laying pipes, building dams or constructing reservoirs. If any person sustaining damages 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 for the laying out of highways.

Shall be liable for damages.

—damages, how ascertained.

Section 4. Said water district is hereby authorized to lay in and through the streets and highways thereof, and of the remaining portion of said town of Cherryfield, the said town of Deblois adjoining said Cherryfield, said town of Columbia, and said township number eighteen, and to take up, repair and replace, all such pipes, aqueducts and fixtures as may be necessary for the objects set forth as above, and whenever said district shall lay any pipes or aqueducts in any street or highway, it shall cause the same to be done with as little obstruction as possible to the public travel, and shall at its own expense without unnecessary delay, cause the pavement and earth removed by it to be replaced in proper condition.

May lay pipes in streets and highways.

—may take up and repair pipes.

—shall replace pavements and earth.

Section 5. Said water district is hereby authorized and empowered to acquire by purchase or by the exercise of the right

May exercise right of eminent domain.

CHAP. 19

of eminent domain, which right is hereby expressly delegated to said water district for said purposes, any lands, right of way, or any other interest in real estate which may be required for the carrying out of the purposes of this corporation.

Shall have a board of three trustees.

Section 6. All the affairs of said water district shall be managed by a board of trustees composed of three members to be chosen by ballot by the legal voters within said water district, the first election to be at the meeting of the legal voters of said corporation, whenever said legal voters shall, at a meeting called for that purpose, accept this act, one to serve until the first annual meeting of said corporation, next after the acceptance of this act, one to serve until the second annual meeting of said corporation, next after the acceptance of this act, and one to serve until the third annual meeting of this corporation, next after the acceptance of this act. Whenever the term of office of a trustee shall expire, the legal voters of said water district shall elect a successor to serve for a full term of three years, and if any other vacancy occur, it may be filled in like manner for the unexpired term. The annual meeting for the election of officers shall be in the month of April, as soon as is convenient after the board of trustees has been chosen, the said trustees shall hold a meeting and organize by the election of a chairman and clerk, adopt a corporate seal, choose a treasurer and when necessary may elect all other needful officers and agents for the proper management of the affairs of said water district.

—trustees, how chosen.

—tenure of trustees.

—successors to trustees, how chosen.

—annual meeting, when holden.

—board of trustees, when organized.

—shall have corporate seal.

—compensation of trustees.

—may adopt by-laws, etc.

Each member shall receive in full compensation for his services the sum of two dollars for each and every regular and special meeting of said board at which he is in attendance.

The said water district, at any legal meeting thereof called for the purpose, may adopt such by-laws and provisions, not inconsistent with the constitution and laws of this state and of the United States, as they may deem expedient and necessary for the good government and regulation of the municipal affairs of said water district, in which case, such by-laws and provisions so adopted shall apply to said water district as fully, to all intents and purposes, as the other provisions of this act, subject to alterations and additions only by a two-thirds vote of the legal voters of said water district present and voting at a legal meeting thereof called for the purpose.

—by-laws subject to alterations by a two-third vote.

May issue bonds.

Section 7. For accomplishing the purposes of this act said water district, through its trustees, is authorized to issue its bonds to an amount sufficient to procure funds to pay the expense incurred in the construction and installation of its system of pipe lines, dams, reservoirs, pumping stations and whatever

equipment may be necessary or incidental to the construction and installation of such system of water works, and additions thereto, including the expense of taking by purchase or otherwise, of lands, rights of way, or other interests in real estate which may be necessary for the carrying out of the purposes of this act.

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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 ninety-six, chapter forty-seven of the Revised Statutes and all the provisions of said section shall be applicable thereto.

—bonds shall be a legal obligation of said water district.

Section 8. The Cherryfield Water District hereby created, is hereby authorized and empowered to raise annually a sum of money which in the judgment of the board of trustees, is sufficient to defray the expense of furnishing water in said district for the purpose of fire protection, by taxation of the legally taxable property therein as rendered by the assessors of said town of Cherryfield.

May raise money for water for fire purposes.

Section 9. All individuals, firms and corporations, whether public, private, national or municipal, shall pay to said water 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 water district. Said rates shall be so established as to provide resources for the following purposes:

Water rates shall be uniform.

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

To pay for maintenance and extensions.

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

To pay interest on indebtedness.

3. To provide each year a sum equal to not less than one nor more than five 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.

To provide for a sinking fund.

—sinking fund, how applied.

Section 10. All the incidental powers, rights and privileges necessary to the accomplishment of the main objects herein set forth are granted to the corporation hereby created.

Incidental powers, etc., granted.

Section 11. This act shall take effect when accepted by a majority vote of the legal voters within said water district, at any special meeting called and held for that purpose, and the selectmen of the town of Cherryfield are hereby authorized to call said meeting, or any subsequent meeting for that purpose, and to make and provide a separate check list of such voters

Act shall take effect when accepted by majority vote of voters in said district. —selectmen of Cherryfield shall call meeting.

CHAP. 20 (within said water district as are then legal voters) of said town and all warrants issued to said town shall be varied accordingly to show that only such voters within said district are entitled to vote thereon. Such special meeting, or meetings, shall be called, advertised and conducted according to the law relating to municipal election, provided however, that the board of selectmen shall not be required to prepare, or the town clerk to post a new list of voters.

—special meetings, how called, etc.

The town clerk shall reduce the subject matter of this act to the following question :

—form of vote to be submitted to voters.

Shall the act to incorporate the Cherryfield Water District be accepted? and the voters shall indicate by a cross placed against the words Yes, and No, their opinion of the same.

—result of vote, how declared, etc.

The result shall be declared by the selectmen of Cherryfield and due certificate thereof filed by the town clerk with the Secretary of State.

### Chapter 20.

An Act Authorizing the Town of Caribou to Accept a Certain Legacy.

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

Town of Caribou authorized to accept legacy.

Section 1. The inhabitants of the town of Caribou, a municipal corporation in the county of Aroostook and State of Maine, are hereby authorized and empowered to accept the legacy bequeathed and devised to them, in their corporate capacity, by Jefferson Cary, late of Caribou, in said county, by his last will and testament, duly admitted to probate in said county, by the Probate Court having jurisdiction thereof, on the fifteenth day of October, A. D. nineteen hundred and twelve, for the founding and endowing of a secular and non-sectarian general hospital, for the treatment of medical and surgical diseases, for the use and benefit of all kinds and grades of suffering humanity.

May accept at an annual or at a special town meeting.

Section 2. Said inhabitants of said town of Caribou or their successors, at any annual town meeting or at any special town meeting called for that purpose, within the time limited for the acceptance of said legacy, in the last will and testament of the said Jefferson Cary, may by a majority vote of the legal voters present and voting at any such meeting, vote to accept and receive the same. After the inhabitants of said town of Caribou or their successors have voted at a legal town meeting as aforesaid, to accept such legacy given with the object and for the purposes aforesaid, they shall have power forever to hold the

—by majority vote.

—may forever hold same.