

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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Published by the Secretary of State.

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AUGUSTA  
KENNEBEC JOURNAL, PRINT  
1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh  
Legislature

1915

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CHAP. 200

Water district shall be construed to be a water company.

—take effect.

Section 15. Said water district shall be construed to be a water company as defined in chapter one hundred twenty-nine of the Public Laws of nineteen hundred thirteen, and all acts additional thereto and amendatory thereof, and shall be subject to all the provisions thereof, for water companies as therein defined.

Section 16. This act shall take effect in ninety days after the final adjournment of the Legislature so far as is necessary to empower the calling and holding of the election authorized in section thirteen herein provided for.

Approved April 2, 1915.

## Chapter 200.

An Act to Create the Anson Water District.

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

Anson Water District created.  
—purposes.

—territory.

Section 1. The following described territory and the people within the same shall constitute a body politic and corporate under the name of the Anson Water District, for the purpose of supplying the inhabitants of said district with pure water for domestic, sanitary and municipal purposes, to wit: So much of the town of Anson, in Somerset county, as is bounded on the north by the north line of said town; on the east by the Kennebec river; on the south by the south line of said town; on the west by a straight line extending southerly, but not exactly south, from the point where the west line of the Great Embden pond road intersects the north line of said town to a point where the east line of Otis M. Hilton's farm in said Anson intersects the south line of said town.

Source of water supply.

Section 2. Said corporation is hereby authorized for the purposes aforesaid, to take water from Great Embden pond and to have co-equal rights in said Great Embden pond, and any of the tributary lakes or streams thereof, with the Madison Water Company, or to take water from Hancock pond, or from Sand pond, or from Black Hill pond, in said Embden, or from the Mill stream in said Embden or Anson, or from Marshall's pond in said Anson; to erect and maintain pumping stations with all the necessary appliances required therefor; to erect and maintain reservoirs and standpipes; to lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing water, and forming proper reservoirs therefor. Said corporation may take and

—may erect pumping stations, reservoirs, etc.

—may acquire land.

hold by purchase or otherwise any lands or real estate necessary therefor, and may excavate through any lands when necessary for the purposes of this corporation, within or without the limits of said district. CHAP. 200

Section 3. Said water district shall be liable for all damage that shall be sustained by any person or corporation in their property by the taking of any land 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 and determined 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 damages.

—damages, how ascertained.

Section 4. Said water district is hereby authorized to lay in and through the streets and highways of said water district, and of the remaining portion of said town of Anson, and of the adjoining town of Embden, and to take up, repair, and replace all such pipes, aqueducts, and fixtures as may be necessary for the objects above set forth; 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 and without unnecessary delay, cause the pavement and earth removed by it to be replaced in proper condition.

—may lay pipe lines, etc.

—shall not obstruct highway unnecessarily.

Section 5. Said water district is hereby authorized and empowered to acquire by purchase, or by the exercise of the right of eminent domain, which right is hereby expressly delegated to said water district for said purposes, any land, right of way, or any other interest in real estate which may be required for the carrying out of the purposes of this corporation.

—may take all land necessary.

Section 6. All the affairs of said water district shall be managed by a board of trustees composed of three members, who are residents and voters in said district, 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 to be called for the purpose of voting upon the acceptance of this act, one to serve until the annual meeting to be held in the year nineteen hundred sixteen, one to serve until the annual meeting of the year nineteen hundred seventeen, and one to serve until the annual meeting in the year nineteen hundred eighteen. Whenever the term of office of a trustee shall expire by his removal from the water district or otherwise, the legal voters of

Board of trustees shall manage affairs.

—trustees, how elected.

—filling of vacancies in board.

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—annual  
meeting.

Organiza-  
tion of the  
board.

—compen-  
sation.

—may adopt  
by-laws by  
vote of  
legal voters.

—may issue  
bonds.

—bonds, to  
be legal  
investment  
for savings  
banks.

Uniform  
rates to be  
established.

the 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 July. 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 all other needful officers and agents for the proper management of the affairs of said water district. 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 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.

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, lands, rights of way, or other interests in real estate which may be necessary for the carrying out of the purposes of this act. Said bonds shall be a legal obligation of said water district, which is declared hereby to be a quasi-municipal corporation, within the meaning of section ninety-six of chapter forty-seven of the Revised Statutes and all of the provisions of said section and all acts additional thereto and amendatory thereof shall be applicable thereto. Said bonds shall be a legal investment for savings banks, and may be issued immediately after the legal organization of this corporation.

Section 8. All individuals, firms and corporations, whether private, public, Municipal or national, shall pay to the 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:

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

—current expenses.

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

—interest.

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.

—sinking fund.

If in any year there be a deficit, the water district may raise by assessment such sum of money as may be necessary and sufficient to liquidate such deficit. All money raised by said water district for the purposes aforesaid shall be assessed upon the property within the aforesaid territory by the trustees of said corporation, in the same manner as is provided by law for the assessment of county and town taxes; and said trustees shall fix the valuation of said property so to be assessed by them, and may abate any tax by them so assessed, or abate any part of any tax by them so assessed.

Deficit, how provided to meet.

5. Upon a certificate being filed with the trustees of said water district by the clerk thereof, of the amount of money raised at any meeting of the water district for the purposes aforesaid, it shall be the duty of said trustees, as soon as may be, to assess said amount upon the estate of persons residing within the territory of said water district, and upon the estates of non-resident proprietors thereof, and to certify and deliver to the treasurer of said water district a list of said assessments, whose duty it shall be to collect the same in like manner as county and town taxes are collected by towns, and said water district shall have power to direct the mode of collection of said taxes as towns have in the collection of town taxes.

Assessment, how made and collected.

Section 9. All the incidental powers, rights, and privileges necessary to the establishment of the main object herein set forth are granted to the corporation hereby created.

—incidental rights, etc., granted.

Section 10. This act shall take effect when accepted by a majority vote of the legal voters within said water district at a meeting to be specially called and held for the purpose, on or

—shall be accepted by voters.

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—special  
meeting.

—question  
to be voted  
upon.

—result.

Ch. 97, P. &  
S. Laws  
1891,  
repealed.

Ch. 176, Sec.  
2, P. & S.  
Laws 1913,  
amended.

Co-equal  
rights  
granted  
the two  
companies.

—take  
effect.

before the first day of August, in the year nineteen hundred fifteen. The selectmen of the town of Anson are hereby authorized to call said meeting, and to make and provide a separate check list of such legal voters as are then within said water district, meaning such legal voters of the town of Anson as then reside within said district; 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 meetings shall be called, advertised, and conducted according to the law relating to municipal elections, provided, however, that the board of selectmen shall not be required to prepare or the town clerk to post a new list of voters. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Anson Water District be accepted?" The voters shall indicate by a cross placed against the word "Yes" or "No" their opinion of the same. The result shall be declared by the selectmen of Anson, and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Section 11. Chapter ninety-seven of the Private and Special Laws of eighteen hundred ninety-one, so far as relates to the town of Anson, is hereby repealed.

Section 12. Section two of chapter one hundred seventy-six of the Private and Special Laws of nineteen hundred thirteen is hereby amended so as to read as follows:

'Section 2. For the purposes aforesaid, said corporation may flow, detain, collect, take, store, use and distribute water from the Kennebec river, Madison pond or Hayden lake, so-called, in Madison, Embden pond in Embden, and any of the tributary lakes or streams thereof, and may locate, construct and maintain cribs, dams, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants and all other necessary structures therefor. But the Anson Water District shall have co-equal rights with said Madison Water Company under this section, so far as relates to Embden pond in Embden, and any of the tributary lakes or streams thereof.'

Section 13. This act shall take effect when approved by the Governor, so far as is necessary to empower the calling and holding of such meeting.

Approved April 2, 1915.