

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

surety or sureties, from all persons trusted with the receipt, custody or disbursement of money; the city council shall have the care and superintendence of the city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase, take and hold, in the name of the city, real and personal property for municipal purposes to an amount not exceeding one million dollars, and shall, as often as once a year, cause to be published for the information of the inhabitants, a particular account of receipts and expenditures, and a schedule of city property.'

Approved March 1, 1917.

Chapter 17.

An Act to Create the Van Buren Sewerage District.

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

Sec. 1. Boundaries and purpose. The following described territory and the people within the same shall constitute a body politic and corporate under the name of the Van Buren Sewerage District, for the purpose of providing a system of sewers and drainage for the comfort, convenience and health of the people of Van Buren, to wit: All of the territory in the town of Van Buren which is bounded on the southeasterly side by the town line between said Van Buren and Hamlin; on the northeasterly side by the St. John river; on the southwesterly side by the rear line of the river lots; and on the northwesterly side by the southeasterly line of the homestead farm of Victorie Cyr; so as to include all of the territory of the river lots, so called, in Van Buren, from the line between Van Buren and Hamlin on the easterly side and the southeasterly line of the homestead farm of Victorie Cyr on the westerly side.

Sec. 2. May contract with Van Buren Water District. Said sewerage district 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 erecting buildings for pumping works, and for laying and maintaining conduits for carrying and collecting, discharging and disposing of sewerage matter and waters and for any other object necessary, convenient and proper for the purposes of this act. And the said sewerage district is hereby authorized to contract with the Van Buren Water District for such supply of water as may be necessary to flush and clean out the sewers and drains laid out and constructed by virtue of this act, on such terms as the trustees of the said Van Buren Water District and said Van Buren Sewerage District may agree upon.

Sec. 3. Where sewerage may be discharged; powers granted. Said sewerage district may construct conduits, in manner aforesaid in and through the above described territory to and into the St. John river and its tributaries, the discharge therefrom to be at such point or points in said river and tributaries as is most convenient, and convey through the same

CHAP. 17

sewerage, surface water and the natural flowage of existing water courses and secure and maintain basins, reservoirs and outlets; may construct and maintain flush tanks, manholes, lampholes and all usual appliances, public and private; may build and maintain pumping stations and buildings, constructions and appliances for collecting, holding, distributing and disposing of sewerage matter, may establish regulations for the use of sewers and fix and collect the prices to be paid for entering the same and also the annual rentals for using thereof, and said sewerage district is hereby authorized for the purposes aforesaid, having first obtained the permission of the municipal officers of said town, and under such restrictions and regulations as said officers may prescribe, to lay down through the streets, highways and lands of said town, and take up, replace and repair all such conduits, pipes and fixtures as may be necessary for the objects of its incorporation; to carry and lay conduits under any watercourse, way, public or private, or railroad in the manner prescribed by law and to cross any drain or sewer or if necessary to change its direction in such manner as not to obstruct the use thereof and to enter and dig up any such street, road or way, for the purpose of laying pipes beneath the surface thereof, for placing manholes or other fixtures and for maintaining and repairing the same and in general to do any other act or things necessary, convenient and proper to be done for the purpose of this act.

Sec. 4. Certificate, containing description of lands taken, to be filed. Said sewerage district shall file in the registry of deeds for the northern district of Aroostook county, a certificate containing a description of the land taken, or on which an easement may be taken under the provisions 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 such certificate.

Sec. 5. Damages, how determined. Such sewerage district shall be liable to pay all damages that shall be sustained by any person in his property by the taking of any land or easement therein, under the provisions of this act; and if any person sustaining damages as aforesaid and said sewerage 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 location of railroads.

Sec. 6. Abutting owners may enter sewer. Said sewerage district, at all times, after it shall commence receiving pay for the facilities supplied by it, shall be bound to permit the owners of all premises abutting upon its lines of pipes and conduits, to enter the same with all proper sewerage upon conformity to the rules and regulations of said sewerage district, and payment of the prices and rentals established therefor.

Sec. 7. Wilful injury to property of district; penalty. Any person who shall place or leave any offensive or injurious matter or materials on the conduits, catch basins or receptacles of said sewerage district, contrary to its regulations, or shall wilfully injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, lamphole, outlet, engine, pump or other proper-

ty held, owned or used by said sewerage district for the purposes of this act, shall pay twice the amount of damages to said sewerage district to be recovered in any proper action; and every such person, on conviction of either of said acts of wilful injury aforesaid, shall be punished by fine not exceeding two hundred dollars, and by imprisonment not exceeding one year.

Sec. 8. Liability of district. Said sewerage district shall be liable to any person injured by any fault of said sewerage district or its agents, or any defect in the highways occasioned by the construction of the works of said sewerage district, during said construction or after the same have been completed, or while the same shall be under repairs or extensions are being made; and said sewerage district shall also be liable to the town of Van Buren for any and all cost, damage and expense which said town may suffer or be put to by reason of the default, neglect or carelessness of said sewerage district or of any of its officers, servants or agents.

Sec. 9. Management. All the affairs of said sewerage district shall be managed by a board of trustees composed of three members, to be chosen by ballot by the legal voters within said sewerage district, the first election to be at the meeting of the legal voters of the said sewerage district to be called to accept this act, one to serve until the annual meeting to be held in nineteen hundred and eighteen, one to serve until the annual meeting to be held in nineteen hundred and nineteen, and one to serve until the annual meeting to be held in nineteen hundred and twenty. Whenever the term of office of a trustee shall expire the legal voters of the said sewerage 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 election of officers shall be in the month of March. As soon as convenient after the board of trustees has been chosen, the said trustees shall hold a meeting at the office of the selectmen in the town of Van Buren, and organize by the election of a chairman and clerk, adopt a corporate seal, and when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said sewerage district. 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 fifty dollars per year, or such other less sum as the said sewerage district at any legal meeting may prescribe. The said sewerage district, at any legal meeting thereof, called for the purpose, may adopt such by-laws and provisions, not inconsistent with the laws and constitution of this state and the United States, as they may deem expedient and necessary for the better government and regulation of its affairs within said sewerage district, in which case said by-laws and provisions so adopted, shall extend to said sewerage district as fully, to all intents and purposes, as the other provisions of this act, subject only to alterations or additions by a two-thirds vote, at a legal meeting of said sewerage district called for the purpose.

Sec. 10. Incidental powers and privileges. All the incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the district hereby created.

CHAP. 18

Sec. 11. Acts to be accepted by voters before effective; how meeting is to be called and conducted. This act shall take effect when accepted by a majority vote of the legal voters within said Van Buren Sewerage District, voting at a meeting to be specially called and held for the purpose on or before the first day of September, nineteen hundred and seventeen and George V. Hammond, Willie F. Paradis and Joseph J. Cyr, or either of them, are hereby authorized to call said meeting. The board of registration shall make and provide a separate check list of each of the voters within said Van Buren Sewerage District as are then legal voters of said town and all warrants issued to said voters shall be varied accordingly to show that only such voters therein are entitled to vote thereon. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of registration 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 three secular days next preceding such election, the first two days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said session. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Van Buren Sewerage District be accepted?" and the voters shall indicate by a cross placed against the words "yes" or "no" their opinion of the same. The result shall be declared by the selectmen of Van Buren, and due certificate thereof filed by the town clerk with the secretary of state.

Sec. 12. Bond issue. The said Van Buren Sewerage District is hereby authorized to issue bonds to the amount of one hundred thousand dollars for the purpose of raising the amount required to accomplish the various purposes contemplated by this act, to wit, the construction of a sewer system, and the accomplishment of all other things necessary, useful or incidental thereto. Said bonds may be of the date and denomination and payable at such times and places, and bear such rate of interest as the inhabitants of said Van Buren Sewerage District may determine or authorize their trustees to determine, by vote passed at any legal meeting of said inhabitants called for said purpose and containing an article in the warrant for that purpose.

Approved March 1, 1917.

Chapter 18.

An Act to Extend the Charter of the Salisbury Cove Water Company.

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

Charter extended for two years. The act of incorporation of the Salisbury Cove Water Company, being chapter forty-nine of the private and special laws for the year nineteen hundred and fifteen, approved March eleventh, nineteen hundred and fifteen, is hereby extended for two years from the date when this act becomes effective with the same force and effect in all respects as if said incorporation were hereby granted.

Approved March 1, 1917.