

# 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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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth  
Legislature

1917

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## CHAP. 166

Knox County General Hospital, Rockland, one thousand five hundred dollars	1,500 00
Madigan Memorial Hospital, Houlton, one thousand dollars	1,000 00
Maine Eye and Ear Infirmary, Portland, three thousand five hundred dollars	3,500 00
Maine General Hospital, Portland, seven thousand five hundred dollars	7,500 00
Northern Maine General Hospital, Eagle Lake, two thousand dollars	2,000 00
Presque Isle General Hospital, Presque Isle, seven hundred fifty dollars	750 00
Old Town Hospital, Old Town, one thousand dollars	1,000 00
Rumford Hospital Association, Rumford, seven hundred fifty dollars	750 00
St. Mary's General Hospital, Lewiston, eight thousand dollars	8,000 00
Somerset Hospital, Skowhegan, five hundred dollars	500 00
Waldo County General Hospital, Belfast, one thousand dollars	1,000 00
Webber Hospital, Biddeford, four thousand seven hundred fifty dollars	4,750 00
York Hospital, York, twelve hundred dollars	1,200 00
For education of the adult blind in order that they may become self-supporting:	
Maine Institute for the Blind, Portland, fourteen thousand dollars	14,000 00
For the care and support of indigent deaf persons:	
Maine Mission for the Deaf, Bangor, two hundred dollars	200 00
For the purpose of maintaining a home and reading-room for working women:	
Women's Christian Association, Lewiston, for Hayes' Young Women's Home, one thousand dollars	1,000 00

## Special

People's Ferry Company, Bath, two thousand dollars	2,000 00
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Amounting to the sum of seven million, one hundred fourteen thousand, three hundred and four dollars and seventy-six cents	7,114,304 76
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Approved April 6, 1917.

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## Chapter 166.

An Act to Incorporate the Boothbay Harbor Water District.

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

**Sec. 1. Territory and purpose.** The territory and the people of the town of Boothbay Harbor, excepting the island known as the Isle of Springs and the territory comprised within the limits of Bayville Village Corpora-

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tion, shall constitute a body politic and corporate under the name of Boothbay Harbor Water District, for the purpose of supplying the inhabitants of said district and others that the town of Boothbay Harbor is supplying or authorized to supply with pure water for domestic and municipal purposes.

**Sec. 2. Source of supply, rights and privileges.** Said district for the purposes of its incorporation is hereby authorized to take and hold by purchase or otherwise sufficient water from any lake or pond located in the towns of Boothbay, Boothbay Harbor and Southport, or any stream in any of said towns or from wells or reservoirs therein and may take and hold by purchase or otherwise, any land or real estate therein or water rights necessary for dams, for flowage, for power, for pumping its water supply through its mains, for reservoirs, for preserving the purity of the water and water shed, for laying and maintaining aqueducts and other structures, for taking, distributing, discharging and disposing of water and for rights of way or roadways, to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures and lands.

**Sec. 3. Damages, adjustment of.** 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 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.

**Sec. 4. May lay pipes, etc., through streets and highways.** Said district is hereby authorized to lay in and through the streets and highways thereof, 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 without unnecessary delay cause the earth and pavement removed by it to be replaced in proper condition.

**Sec. 5. Affairs to be managed by board of trustees, how and when elected; organization, tenure and compensation.** All the affairs of said district shall be managed by a board of trustees composed of three members, who shall be elected by a plurality vote of the legal voters within said water district at an election to be specially called and held therefor on or before the first Monday in January nineteen hundred and nineteen. Such special election shall be called, advertised and conducted according to the law relating to municipal elections in said town of Boothbay Harbor. The result of such election shall be declared by the municipal officers and due certificate thereof filed with the town clerk thereof. As soon as convenient after members of said board have been chosen, said trustees shall hold a meeting and organize by the election of president and clerk, adopt a corporate seal and when necessary may choose a treasurer and all other need-

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ful 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 said 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 fourth Tuesday of June in each year, 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 a vacancy arises in the membership of the board of trustees it shall be filled in like manner for the unexpired term, by special election to be called by the municipal officers of the town of Boothbay Harbor. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation of his service the sum of two dollars for each and every regular and special meeting of said board at which he is in attendance. 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 Boothbay Harbor on or before the first day of July of each year. The report of such trustees shall be printed by the municipal officers of the town of Boothbay Harbor in the annual report of said town.

**Sec. 6. May acquire water plant of town of Boothbay Harbor.** 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 district for said purpose, the entire water plant, properties, franchises, rights and privileges of the town of Boothbay Harbor, except its cash assets, including all lands, waters, water rights, dams, structures, reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances owned by said town and used or usable in supplying water in said district. The said town of Boothbay Harbor is hereby authorized to sell and transfer its water franchises and properties to said water district.

**Sec. 7. Purchase price, how determined.** Said water district shall pay to the town of Boothbay Harbor for such franchises and properties the amount which the engineers now appraising said property, under order issued by the public utilities commission, shall fix as its value, and in addition thereto such sum or sums as the town may expend for extensions, improvements or other property after said appraisal and before this act is approved by vote of the people residing within the water district. On payment or tender by said district of the amount so fixed and the performance of all other terms and conditions said entire plant, property and franchises shall become vested in said water district and be free from all liens, mort-

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gages and incumbrances, theretofore created by the town of Boothbay Harbor.

**Sec. 8. Present contracts to be fulfilled.** All valid contracts now existing between the town of Boothbay Harbor and any persons or corporations for supplying water, shall be assumed and carried out by said Boothbay Harbor Water District.

**Sec. 9. Temporary loan authorized; trustees may issue bonds.** 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, of 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 town of Boothbay Harbor, of securing sources of supply, taking water and land, paying damages, 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 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 one hundred and five, of chapter fifty-one 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.

**Sec. 10. Rates to be uniform; revenue, how expended.** 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 of said district. Said rates shall be so established as to provide revenue for the following purposes:

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

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

III. 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 invested in such securities as savings banks are allowed to hold.

IV. If any surplus remains at the end of the year it may be turned into the sinking fund.

**Sec. 11. Incidental powers and privileges.** All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the corporation hereby created.

**Sec. 12. Referendum provided; procedure.** This act shall take effect when approved by a majority of the legal voters within said district vot-

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ing at an election to be specially called and held for the purpose on or before the first Monday of January nineteen hundred and nineteen. The board of selectmen of Boothbay Harbor shall make and provide a separate check list of such of the voters within said 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 therein are entitled to vote hereon. Such special election 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 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 Boothbay Harbor Water District be accepted?" and 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 Boothbay Harbor and due certificate thereof filed by the town clerk with the secretary of state.

**Sec. 13. Certain sections inoperative unless purchase is consummated.** Sections two, three and four of this act shall be inoperative, null and void, unless the said water district shall first acquire by purchase as in this act provided, the plant, property and franchises, rights and privileges now held by the town of Boothbay Harbor.

**Sec. 14. Date when effective as to referendum.** This act shall take effect in ninety days after the final adjournment of the legislature, so far as necessary to empower the calling and holding of the elections authorized in section five as herein provided for.

Approved April 6, 1917.

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## Chapter 167.

An Act to Extend the Time within which the Provisions of Chapter One Hundred Eighty-six of the Private and Special Laws of Nineteen Hundred and Fifteen, Providing for Reorganization or Consolidation of the Railroad Companies Constituting the Boston and Maine Railroad System, may be Exercised.

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

**Sec. 1. Prescribed time in which action may be taken extended.** The prescribed time within which action may be taken by the Boston and Maine Railroad, under section four of chapter one hundred eighty-six of the private and special laws of nineteen hundred and fifteen and the time prescribed for the exercise by it of special powers under section eight of said act and the time within which a new corporation may be organized under section nine and subsequent sections of said act are hereby extended respectively to July first, nineteen hundred and nineteen.