

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# Acts and Resolves

As Passed by the

## Seventy-Ninth Legislature

OF THE

# STATE OF MAINE

1919

---

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.

---

KENNEBEC JOURNAL CO.  
AUGUSTA, MAINE  
1919

6939

---

---

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Ninth  
Legislature

1919

---

---

**CHAP. 96**

tinued by the city council, except upon the report of said committee. The committee shall estimate and report the damages sustained by the owners of the lands adjoining that portion of the street or way which is so discontinued; their report shall be filed with the city clerk seven days at least before its acceptance. Any party aggrieved by their decision may appeal therefrom as provided by law in the case of town ways. If a street or way is discontinued before the damages are paid or recovered for the land taken, the land owners shall not be entitled to recover such damages, but the committee in their report discontinuing the same shall estimate and include all the damages sustained by the land owner, including those caused by the original location of the streets; and in such cases, if any appeal has been regularly taken, the appellant shall recover his costs. The city shall not be compelled to construct or open any street or way thus hereafter established, until in the opinion of the city council, the public good requires it to be done; nor shall the city interfere with possession of the land so taken by removing therefrom materials or otherwise, until they decide to open said street. The city council may regulate the height and width of the sidewalks in any public square, places, streets, lanes or alleys in said city; and may authorize hydrants, drinking fountains, posts and trees to be placed along the edge of the sidewalks, and may locate and construct culverts and reservoirs, within the limits of any street or way in said city whenever they deem it needful. Every law, act, ordinance, resolve or order of the city council excepting rules and orders of parliamentary character, shall be presented to the mayor. If not approved by him he shall return it with his objections in writing at the next stated session of the city council, which shall enter the objections at large on its journal and proceed to reconsider the same. If, upon reconsideration, it shall be passed by vote of two-thirds of all the members of the board, it shall have the same force as if approved by the mayor. In case of vacancy in the mayor's office, this section shall not apply to any act of the council. In case the mayor fails to either sign or return the bill at the next session, then it becomes a law as though he had signed it.'

Approved April 4, 1919.

---

---

## Chapter 96.

An Act to Incorporate the Belfast Water District.

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

**Sec. 1. Water district created.** The territory and the people of the city of Belfast shall constitute a body politic and corporate under the name of Belfast Water District, for the purpose of supplying the inhabitants of said city of Belfast with pure water for domestic, municipal and manufacturing purposes.

**Sec. 2. Source of supply; may take and hold lands, water rights, etc.** Said district, for the purposes of its incorporation, is hereby authorized to take and hold by purchase or as for public uses by right of eminent domain, sufficient water from any lake, pond or stream, located in the city of Belfast, or in the towns of Northport, Knox, Waldo, Swanville, Searsport, Prospect, Frankfort and Stockton Springs, or from wells or reservoirs therein and may take and hold by purchase or as for public uses by right of eminent domain, 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. District liable for damages; procedure in case of agreement.** 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 mains, etc., through highways.** Said district is hereby authorized to lay in and through the streets and highways thereof, and outside thereof, and to take up, repair and replace all such 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 obstructions as possible to 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. Administration; trustees, how and when chosen; organization of trustees; tenure of office; trustees to publish report annually.** All the affairs of said district shall be managed by a board of trustees, composed of three members, who shall be elected by the city council of the city of Belfast annually, on the third Monday of March, or as soon thereafter as conveniently may be; but the first board of trustees may be elected by said city council at any time after the acceptance of this act. As soon as convenient after members of said board have been chosen, said trustees shall hold a meeting and organize by the election of a chairman and clerk,

## CHAP. 96

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 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 said city council in the same manner as subordinate officers of said city are elected under its charter. 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. Said trustees may procure an office and incur such expenses as may be necessary. The chairman shall be the executive officer of said board and receive a salary of two hundred dollars per year in full compensation for his services, the other two members of said board shall receive a salary of fifty dollars each per year. 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 city of Belfast on or before the first day of March of each year. The report of said trustees shall be printed in the annual report of said city.

**Sec. 6. Transfer to district of property, etc., of Belfast Water Company authorized.** Said water district is hereby authorized to acquire by purchase the entire water plant, properties, franchises, rights and privileges of the Belfast Water Company, 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 Belfast Water Company and used or usable in supplying water in said district. The said Belfast Water Company is hereby authorized to sell and transfer its water franchises and properties to said water district by consent of the city council of Belfast, expressed by concurrent vote of its board of aldermen and common council.

**Sec. 7. District to take over contracts of existing company.** All valid contracts now existing between the Belfast Water Company and any persons or corporations for supplying water shall be assumed and carried out by said Belfast Water District in case of purchase of water franchises and properties of said water company.

**Sec. 8. Bond issue authorized.** 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 incurred in the creation of the district; in acquiring the properties and franchises of the Belfast Water Company; 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 therefor in the judgment of the trustees. 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. 9. How rates shall be determined.** 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 or 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.

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

**Sec. 10. Incidental powers and privileges granted.** 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. 11. Referendum provision; form of question, etc.** This act shall take effect when approved by a majority of the legal voters within said district voting at an election to be specially called and held for the purpose within six months after the adjournment of this legislature. Such special

**CHAP. 97**

election shall be called, advertised, and conducted, and voting lists prepared, corrected, and posted, according to the law relating to municipal elections in the city of Belfast. The city clerk shall prepare the ballots for such election and shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Belfast Water District be accepted?" And the voters shall indicate by a cross placed against the word, "Yes" or "No," their vote on this question. The ballots cast shall be canvassed and the result of the vote declared by the municipal officers of the city of Belfast and due certificate thereof filed by the city clerk with the secretary of state. 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 said special election.

**Sec. 12. Certain sections inoperative unless transfer of Belfast Water Company is effected.** Sections two, three and four of this act shall be inoperative, null, and void, unless the said water district shall acquire by purchase as in this act provided, the plant, property and franchises, rights and privileges now held by the Belfast Water Company.

Approved April 4, 1919.

## Chapter 97.

An Act to Appropriate Moneys for the Expenditures of the Government and for Other Purposes for the Year Nineteen Hundred and Nineteen.

**Emergency preamble.** Whereas, the appropriation of moneys for the maintenance of the several branches of the state government, its institutions and for other purposes, is an emergency measure immediately necessary for the preservation of the public peace, health or safety, now, therefore,

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

**Sec. 1.** In order to provide for the several acts and resolves of the legislature requiring the payment of moneys from the state treasury, and also to provide in part for the necessary expenditures of government and for other purposes, for the current fiscal year nineteen hundred nineteen, the following sums are hereby appropriated out of any moneys in the state treasury, and except where otherwise specially provided, the governor with the advice of the council, is hereby authorized at any time prior to the first day of July, nineteen hundred and twenty, to draw his warrant on the state treasurer for the same.

### Adjutant General's Department

For salary and clerk hire, three thousand nine hundred dollars, c. 117, § 26, r. s.

\$3,900 00