

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1883.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1883.

<u>CHAP. 248</u>	Library, five hundred dollars.....	\$500 00
	Transportation of documents, five hundred dollars	500 00
	Inspectors of steamboats, eight hundred dollars .	800 00
	Lands reserved for public uses, fifteen hundred dollars	1,500 00
	Interest on lands reserved for public uses, twenty-five hundred dollars.....	2,500 00
	Forfeited lands, five hundred dollars.....	500 00
	Journal of council, one hundred and fifty dollars	150 00
	Indices, one hundred and fifty dollars.....	150 00
	Bounty on animals, fifteen hundred dollars.....	1,500 00
	Trustees insane hospital, one thousand dollars..	1,000 00
	Visiting committee to insane hospital, three hundred fifty dollars.....	350 00
	Amounting to fifteen hundred fifty-seven thousand six hundred forty-five dollars and sixty-three cents	\$1,557,645 63
	SECT. 2. This act shall take effect when approved.	

Approved February 20, 1883.

Chapter 248.

An Act to incorporate the town of Old Orchard.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Part of city of Saco set off and incorporated into a town.
—boundaries.

SECT. 1. All that part of the city of Saco lying within the following described lines and boundaries, namely, commencing at the easterly corner between the said city of Saco and the town of Scarborough, at low water mark ; thence by the line between said city of Saco and said town of Scarborough, northwesterly to a stone in the sea wall ; thence north, forty-two degrees and fifty-five minutes west, by said line, six hundred and ninety-three rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in said city of Saco known as the Granger line ; thence south, forty-seven degrees and twelve minutes west, eight hundred and sixty-three and one-half rods, to a granite stone on the bank

of Goose Fair brook in said city of Saco ; thence southeasterly by said Goose Fair brook to the sea ; thence by the sea to the boundary first above named, with all the sea shore and flats lying between said Goose Fair brook and said easterly corner of the city of Saco, is hereby incorporated into a separate town by the name of Old Orchard, and the inhabitants thereof are hereby invested with all the powers and privileges, and are made subject to all the duties and liabilities incident to other towns within this state.

Corporate name,
Old Orchard.

Powers, privileges and liabilities.

SECT. 2. All taxes heretofore legally assessed upon property within the said limits of Old Orchard shall remain valid and shall be collected from the persons or corporations against whom they are assessed by the collector of the city of Saco, to whom they have been or may be committed, and shall be applied to the several purposes for which they are raised. All existing provisions of law shall be applicable to said taxes and their collection, and all existing liens shall be preserved.

Collection and application of taxes heretofore assessed.

SECT. 3. Said town of Old Orchard shall have power to raise money and expend the same to provide and maintain a police force, to purchase and maintain engine houses, reservoirs, engines and other apparatus for the extinguishment of fires, and to organize and equip fire companies in connection therewith, to establish and maintain drains and sewers and other proper means for the preservation of the public health, and to build and repair side-walks ; and for the purposes of such improvements, said town shall have power to take private property, and the damages to be paid therefor shall be determined in the same manner as now provided by statute in the case of town ways.

Town authorized to raise and expend money for certain purposes.

SECT. 4. All moneys raised by said town for the purposes named in the preceding section, and to be applied for the making of said improvements within the following described limits in the town of Old Orchard, namely, commencing at a point at low water mark on Old Orchard beach, on the division line between the town of Scarborough and city of Saco ; thence north, forty-two degrees and fifty-five minutes west, by said division line to a stake at mean high water mark, placed one hundred and ninety-two feet southeasterly from the stone monument placed by the municipal officers in said line ; thence from said stake north, forty-two degrees and fifty-five minutes west, on said division line, thirteen hundred

Limits within which improvements shall be made.

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and eighty-four feet to an iron monument upon the north-westerly property line of the Boston and Maine railroad; thence south, forty five degrees west, by said property line, fifty-five hundred and eighty-eight feet to an iron monument; thence north, forty-five degrees west, forty-four hundred and eighty-three feet to an iron monument; thence south, forty-five degrees west, sixty-three hundred feet to an iron monument and post upon the westerly side of Union avenue, so called, standing at the northerly corner of the homestead farm of John Jameson; thence south, thirty-six degrees west, on the line known as the first division line of John Bonythan, seventy-six hundred and forty-four feet to an iron monument in the ditch bank at the edge of the salt marsh bordering on Goose Fair brook; thence on the same course to the center of Goose Fair brook; thence southeasterly, by said brook, to low water mark on Old Orchard beach; thence northeasterly, by the low water line of said beach, to the point of beginning, shall form separate taxes, and shall be assessed upon the polls and estates within said limits, within which such money is to be expended.

Assessors to determine whether abutters may enter public drains.

SECT. 5. Whenever public drains or sewers shall be constructed within the limits named in section four of this act, it shall be the duty of the assessors, after notice to the abutters thereof, and hearing, as provided by law in case of laying out of town-ways, to determine whether it is reasonable and proper, that any such abutor upon whose land any building shall have been erected, shall enter such drain or sewer, and if, in their judgment it shall be reasonable and proper for such abutor to enter his waste pipes or drains into such public drain or sewer, they shall determine the amount to be paid by him for the right so to do. They shall also determine the amount to be paid by any abutor, owning vacant land upon the line of said drain or sewer, if, in their opinion, the same will be benefited thereby. Any person aggrieved by any decision of such assessors, may appeal to the county commissioners for the county of York, within thirty days after he has been notified in writing thereof, by said assessors. Said appeal shall be in writing, and after notice stating the time and place of the hearing thereof, served upon said assessors at least seven days before the time fixed therefor, said commissioners shall proceed to hear the parties and their

- to fix amount to be paid for right.

Appeals from decisions of assessors, may be taken to county commissioners.

witnesses, and determine said appeal. When the amount of such damages shall be finally determined, it shall be a lien upon the premises upon which it was assessed, and may be enforced by said town of Old Orchard in an action of debt, if the same is not paid within thirty days after such final determination. No abuttor shall enter such public drain or sewer, until the amount to be paid by him therefor shall have been so fixed and paid.

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Damages, how finally determined and paid.

SECT. 6. The inhabitants of said city of Saco, and said town of Old Orchard, respectively, shall own and hold all school houses, town farm, halls and other public property situated within their several limits, after this act shall take effect, and the inhabitants of said town of Old Orchard shall assume and pay all existing and outstanding liabilities incurred for the erection of the school house at said Old Orchard, including a note of one thousand dollars, dated January twenty-one, eighteen hundred and eighty-one, signed by Henry W. Staples and F. J. Cousens, committee, payable to John C. Bradbury, treasurer, and all other notes issued by said committee, by virtue of the authority conferred on them by the city council of the city of Saco, June seven, eighteen hundred and eighty, and said inhabitants of the city remaining, after this act shall take effect, shall assume and pay all legal debts and liabilities, now or hereafter outstanding against said city of Saco. Said town of Old Orchard, or any inhabitant, may recover of said city of Saco, any money which he shall be compelled to pay by reason of said debts and liabilities, other than the taxes now legally assessed as aforesaid, and said school house liabilities.

Ownership of public property vested in town where situated.

Town to assume certain school-house liabilities.

SECT. 7. No person residing within said town of Old Orchard, at the time when this act shall take effect, shall hereafter become chargeable as a pauper, or otherwise, to said city of Saco, unless such person shall hereafter acquire a settlement therein, in some of the modes now provided by law.

Pauper liabilities.

SECT. 8. The first meeting of the town of Old Orchard may be called at Old Orchard by any justice of the peace, by posting his warrant therefor, stating the time, place and purposes of said meeting, in three public and conspicuous places, within said town, seven days, at least, before said meeting. All officers chosen at said meeting shall have all the powers of like officers, as now provided by law.

First meeting of town, how called.

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Polls and value of estates set to each municipality.

SECT. 9. The number of polls set to the city of Saco shall be one thousand four hundred and thirty-three; the value of estates, three million fifteen thousand three hundred and thirty-three dollars; and the number of polls set to the town of Old Orchard, shall be one hundred and twenty-five, and the value of estates three hundred and ninety-three thousand two hundred dollars, and all state and county taxes hereafter shall be assessed accordingly.

SECT. 10. This act shall take effect when approved.

Approved February 20, 1883.

Chapter 249.

An Act to authorize the sale or lease of the Knox and Lincoln Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Certain cities and towns authorized to consent to sale or lease of Knox and Lincoln R. R.

SECT. 1. The cities of Bath and Rockland and the towns of Wiscasset, Newcastle, Damariscotta, Nobleborough, Waldoborough and Thomaston, are authorized severally or jointly to consent, that the Knox and Lincoln Railroad Company may sell and convey or lease for a term of years or in perpetuity, the railroad of said company, its franchise, property and rights of property, and to suspend and waive their rights as mortgagees, or otherwise, to take possession of said railroad and property on such terms and conditions as may be determined at meetings of the legal voters of said cities and towns to be called and notified for that purpose; *provided, however,* that the same terms and considerations shall be offered to all the said cities and towns for the sale or lease as herein provided.

Proviso.

Company, under conditions, authorized to sell or lease road.

SECT. 2. The Knox and Lincoln Railroad Company, by the consent of said cities and towns and suspension and waiver of their rights as mortgagees or otherwise, to take possession of said railroad and property as provided in the preceding section, is hereby authorized to sell and convey or lease for a term of years or in perpetuity, the railroad of said company, its franchise, property and rights of property, on such terms and conditions as may be determined at a meeting of the stockholders of said company to be called and notified for that purpose.