

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

Chapter 508.

An Act creating the Mechanic Falls Village Corporation.

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

SECT. 1. That the land embraced within the limits of land bounded as follows : beginning at the westerly terminus of Summer street in Minot ; thence by a straight line to the junction of Pine and Lincoln streets in Poland ; thence by a straight line to the southwesterly corner of S. I. Jewett's place, known as the Howard place, on Elm street ; thence by a straight line to the southeasterly corner of J. M. Libby's homestead lot on Lewiston street ; thence by a straight line to the Campbell bridge in Minot ; thence by a straight line to the junction of Bucknam street with the West Minot road near the camp ground ; thence by a straight line to the junction of Oak and North streets, near Isaiah Hall's house ; thence by a straight line to the northwesterly corner of D. S. Perkins' homestead lot ; thence by a straight line to point of beginning, together with the inhabitants thereon, be and the same is hereby created a body politic and corporate by the name of the Mechanic Falls Village Corporation.

Limits

Corporate name.

SECT. 2. Said corporation is hereby authorized and vested with power at any legal meeting called for the purpose to raise money for the following purposes, to create and maintain a fire department, to maintain police and a night watch, to light the streets and procure water for fire and domestic purposes, to construct and repair sewers and sidewalks, and for support of schools, and may make all suitable contracts for the purposes aforesaid ; and may lay pipes in the public streets for purposes of sewerage and water supply ; and the Poland Paper Company may contract with the village corporation for furnishing such water, or for pumping.

Authorized to raise money for fire and police departments.

SECT. 3. The officers of said corporation, unless it shall otherwise determine, shall consist of three superintending school committeemen, clerk, treasurer, collector, agent, assessors, one or more auditors, chief engineer, two or more assistant engineers, and such other officers as may be provided for in the by-laws of said corporation ; provided, however, that each alternate year a majority of the assessors and school committeemen shall be residents of the town of

Officers.

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—qualifications,
and election.

Poland; and such officers, except as herein otherwise provided, shall have the same qualifications and shall be elected and qualified in the same way, and shall perform within the limits of said corporation the same duties as similar officers elected by towns, and such qualifications may be before the clerk of said corporation.

Powers of
school com-
mitteemen.

SECT. 4. Said superintending school committeemen shall have and exercise within said corporation all the rights, power and authority, and shall perform all the duties required by law of superintending committeemen of towns, excepting that they shall report annually to the superintending school committeemen of the town and not to the town itself, and that the returns required by sections eighty-eight, eighty-nine and ninety, chapter eleven of the Revised Statutes, shall be made by the superintending school committee of the town. Said corporation, instead of said committee, may choose a supervisor of schools, who shall perform the duties of said committee, and his election shall terminate the office of all members of such committee.

—report.

—may choose
supervisor of
schools.

Municipal
officers, and
owers.

SECT. 5. Said assessors shall be the general municipal officers of said corporation, and shall have charge of its affairs and of the expenditure of money therein, except so far as the same may be committed to other officers or persons.

Powers and
duties of en-
gineers.

SECT. 6. Said engineers shall have charge of the fire department of said corporation, under such rules and ordinances as the corporation may adopt, and of the expenditure of money appropriated for said department; and said chief engineer, and in his absence the assistant engineers in the order of their rank, shall have exclusively all the power and authority within the limits of said corporation that fire wardens now have or may have, chosen by towns in town meeting; but no building shall be pulled down or demolished, except by the concurrence of two of said engineers, and of one of the fire wardens or municipal officers or a civil or military officer of the town in which the building is located, in the order named, present at any fire.

Taxes, how
assessed.

SECT. 7. All moneys which may be raised for the purposes aforesaid, or for any other purposes for which the corporation may lawfully raise money, shall be assessed upon the taxable polls and estates embraced within the limits of the corporation by the assessors thereof, in the same manner as is provided by law for the assessment of town and county

taxes, and the said assessors may copy the last valuation of said property by the assessors of either of said towns, and assess the tax thereon, or may correct said valuation or make a new one thereof, according to the principles established by the last act establishing a state tax, and assess the tax on that valuation, and may make abatements on taxes assessed in said corporation in the same way as assessors of towns may do.

SECT. 8. Said corporation may obtain by loan, money for any of the purposes for which it may lawfully raise money, payable in such installments, not exceeding ten, and at such time or times not exceeding ten years as the corporation may direct in the vote authorizing such loan; but in no case shall a loan be made that shall with other indebtedness make the whole liabilities of the corporation more than five per cent of the aggregate amount of the last valuation of the estates of the corporation upon the assessors' books. And whenever the corporation shall vote to borrow money as aforesaid, the clerk thereof shall certify to the assessors thereof the amount of said loan, with the date or dates at which the same shall become due and payable, and the assessors at each annual assessment of taxes in said corporation after said loan, shall assess the amount of the installment or payment with the interest on the same, that may become due that year on the polls and estates in the corporation, as if it had voted to raise the same.

May raise money by loan.

—indebtedness, limited.

—when loan is due, amount shall be certified to assessors, who shall assess the same.

SECT. 9. Upon a certificate being filed with the assessors of said corporation by the clerk thereof, of the amount of money raised at any legal meeting of the inhabitants thereof for the purposes aforesaid, said assessors shall, as soon as may be, assess said amount upon the taxable polls and estates embraced within said corporation, and the assessment so made, as well as the assessment of moneys to repay any loan of said corporation with interest thereon, shall be by them certified and delivered to the treasurer or collector of said district, who shall collect the same in like manner as town taxes are collected in towns, and said corporation, collector or treasurer shall have the same power and authority in collecting the tax so assessed, as a constable or town collector has for collecting town taxes, and shall enforce payment of the same in the same manner as a town constable or town collector may do, and the said corporation shall have the same power

Assessment and collection of taxes.

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—powers of collector of taxes.

to direct the mode of collecting said taxes as towns have in the collection of taxes. Such collector shall have the same right that town collectors have by section one hundred and forty-one of chapter six of the Revised Statutes, as amended by section two of chapter three hundred and fifty-nine of the public laws of eighteen hundred and eighty-five, to recover any tax committed to him by suit; and the corporation shall have the same rights that towns have by section one hundred and seventy-five of chapter six of the Revised Statutes, as amended by chapter three hundred and fifty of the public laws of the last named year, to recover taxes by suit. All the provisions of the public laws aforesaid shall be applicable in case of any suit by the corporation or its collector, the corporation having the rights of towns in this respect, and its assessors the rights of selectmen, and no judge, justice or magistrate shall be disqualified to try such suit by his residence within said corporation.

—provisions of public laws, applicable in suits to recover taxes.

Act shall take effect when approved by majority of legal voters, in limits of corporation.

SECT. 10. This act shall take effect after its approval, when a majority of the legal voters within that portion of said corporation lying in the town of Poland, and a majority of the legal voters in that portion of said corporation lying in the town of Minot, shall concurrently vote to accept the same at separate meetings called for this purpose, to be held in the said respective portions of said corporation and called and notified in said respective portions of said corporation in the manner provided in section fifteen of this charter; and there shall be held not exceeding five such concurrent meetings, within four years and six months from the date of the approval of this act, and not more than one such meeting shall be held in any one year; and upon the taking effect of this act, school district numbered one in the town of Minot shall be and stand abolished, but its corporate powers and liabilities shall continue so far as may be necessary for the enforcement of its rights and duties. The corporation created by this act shall not be abolished by any doings of the town of Minot for any purpose.

—meetings, how and when held.

—school district, number one, abolished, when this act takes effect.

Corporation, shall take possession of all school property, and pay fair value thereof.

SECT. 11. Upon its organization and the election of its officers, after the acceptance and taking effect of this act, the corporation hereby created shall forthwith take possession of all the school houses, lands, apparatus and other property owned and used for school purposes, which shall be within its territorial limits, and shall pay the fair value thereof to the

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—proviso.

owner of the same; provided, however, that said corporation shall pay one dollar in full for all of the school property of district number one in Minot; and also that district number one shall pay to said corporation such an amount for school property situated in Poland as may be determined by a commission of three disinterested persons to be appointed by any justice of the supreme judicial court, and all former rebate of taxes made to Poland part of said corporation shall be ascertained by said commission, and shall be deducted from the value so determined, and one-half of the balance shall be paid by the Minot part of the corporation to the Poland part of the corporation; provided, one-half of said amount, after such deductions, shall not exceed one thousand dollars. The value of the property of the school district taken as aforesaid shall be paid for by said village corporation to the district; and said corporation shall pay the town of Poland the value of its property taken as aforesaid, and the town shall pay the corporation such part of said town's school property not so taken as shall compensate the tax payers of the village corporation who are liable to town taxation in Poland for their interest in the property last mentioned; so that the town shall thenceforth own no such school property within the village corporation, and the corporation shall own none elsewhere within either town, and each of the three corporations shall be compensated for all its property whereof it shall be divested by proceedings under this act. For the accomplishment of these several purposes, the court may make such order or orders, or decrees, as it may find expedient. It may refer the case to a master to report a scheme, and may appoint all needful appraisers and commissioners, and may employ in the premises all the methods and authority which appertain to its jurisdiction as a court of equity, including the power to punish for contempt. The assessors of the town of Poland and of the school district aforesaid and of the village corporation shall make all such assessments, abatements, offsets, remittances and commitments of taxes as the court may order; and their respective collectors shall collect and pay over all taxes committed to them as aforesaid. If any funds accrue to the district from such proceedings they shall be disposed of according to the vote of the district. The funds obtained by the town of Poland thereby shall be applied to schools and educational purposes in the usual and legal manner, without

—amount, to be paid corporation by district number one, shall be determined by commission; also, shall determine all sums due, and to be paid, by the different corporations in interest.

Court, may make orders, and appoint all needful appraisers.

Assessors of town of Poland, and village corporation, shall make all assessments, etc., as ordered by the court.

—funds, how applied.

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allowing any share thereof to the village corporation, and as if it did not exist.

School moneys,
how apportioned.

SECT. 12. The assessors of each town from which a part of said village corporation is taken, shall annually apportion to said corporation a share of all the school moneys derived from any source for the support of public schools in their town, according to the number of scholars in said corporation residing in said town, provided, however, that each of said towns and the officers thereof shall retain all the powers and privileges conferred upon towns and town officers in general, by section twelve and section sixteen of chapter eleven of the Revised Statutes, and may exercise the same as under the school district system. Scholars not residing within the limits of said corporation may attend its schools if the superintending school committee or supervisor consent thereto, and on such conditions as said consenting officers may impose.

—towns shall retain all powers conferred by secs. 12 and 16, ch. 11, of the R. S.

—scholars, out of limits of corporation, may attend its schools.

All public laws, relative to school districts, applicable to corporation.

SECT. 13. All the public laws of the state relative to school districts, and to the officers thereof, shall be applicable to said village corporation and to its officers, except so far as they may be inconsistent with the provisions of this act; and with the same exception, and excepting the tax provided for in section six, chapter eleven, Revised Statutes, the jurisdiction of the school and fire department officers of each town is hereby excluded from the territory embraced in said village corporation. No money raised for educational purposes, other than the per capita tax last mentioned, or for the prevention or extinguishment of fires by either town, other than such assessments as shall be made under order of the court as hereinbefore provided, shall be assessed upon any persons or property which may be liable to taxation by said village corporation or applied to the benefit of said corporation. Money raised or borrowed by the corporation shall be assessed by its own assessors and not by town assessors; and there shall be no appeal to either town from any vote of the village corporation. The corporation collector, and when required, the treasurer, shall give bonds with sureties, in such sums as the corporation may direct, to be approved by its assessors.

—exceptions.

—money, shall be raised, only for certain purposes.

—money shall be assessed by its own assessors.

—bonds of collector, and treasurer.

May adopt by-laws.

SECT. 14. Said corporation, at any legal meeting called for that purpose, may adopt by-laws and make all needful rules and ordinances for the organization and government of a fire department, and may prescribe the powers, duties, style and rank of the engineers of the fire department, and of the

—prescribe powers of engineers.

officers and members of engine and hook and ladder companies within said corporation, not repugnant to the laws of the state.

SECT. 15. The first meeting of the corporation may be called by W. W. Waterman, S. I. Jewett, J. A. Bucknam and P. R. Cobb, or either of them, by posting up a notification thereof in some public and conspicuous place within its limits stating in distinct articles the objects of the meeting, seven days before the time appointed for the meeting.

First meeting,
how called.

Approved March 5, 1889.

Chapter 509.

An Act to incorporate the Saint John Lumber and Mill Company.

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

SECT. 1. I. H. Page, J. J. Wheelock, their associates, successors and assigns, are hereby made and constituted a body politic and corporate by the name of the Saint John Lumber and Mill Company, with power by that name to sue and be sued, and to have all the powers, privileges and immunities, and to be subject to all the duties and liabilities contained in the laws of this state relating to such manufacturing corporations.

Corporators.

—corporate
name.

SECT. 2. Said corporation is authorized to manufacture lumber and such other articles as may be conveniently connected therewith, with power to purchase, hold and sell such articles, and with power to lease, purchase and hold such real and personal estate as may be deemed expedient; also to make such by-laws and regulations for the management and government of said corporation as may be deemed necessary and proper. The said corporation is authorized to erect mills on lands which it may acquire by purchase, at Saint John plantation and Saint Francis plantation, in the county of Aroostook, and to maintain a boom or booms with suitable piers there, for the purpose of holding logs for said mills, not, however, in any manner to interfere with the free navigation of said river.

Powers.

SECT. 3. Said corporation shall have a capital stock of seventy-five thousand dollars, with liberty to increase the

Capital stock.