

MAINE STATE LEGISLATURE

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Sixty-Second Legislature.

HOUSE.

No. 23.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT granting additional powers to the inhabitants of School District Number Five, in the town of Kennebunk.

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

SECTION 1. The inhabitants of school district
2 number five, in the town of Kennebunk, shall con-
3 tinue to be, and are hereby declared to be, a cor-
4 poration, and are hereby authorized, in addition to
5 the power now conferred by law upon school dis-
6 tricts, at any legal meeting called for the purpose,
7 to raise by assessment or by loan, as hereinafter
8 provided, such sums of money as may be deemed
9 necessary and sufficient for the maintenance of

10 graded schools in said district ; for organizing and
11 maintaining within the limits of said district an
12 efficient fire department ; for building, purchasing,
13 renting, repairing and maintaining school-houses,
14 engine-houses, hook and ladder carriage-houses,
15 lock-ups or police stations ; for purchasing, repair-
16 ing and maintaining fire engines, hose, ladders,
17 buckets, machines and other apparatus for the ex-
18 tinguishment and prevention of fires ; for the con-
19 struction and repair of reservoirs and aqueducts ;
20 for the procuring of water and pumps, pipes and
21 machinery for handling and distributing the same ;
22 for establishing and maintaining a public library
23 in said district, in the same way and to the same
24 extent that towns may do ; for the purchasing or
25 renting of real estate for any of the above pur-
26 poses ; to pay for the services of one or more
27 police officers, night watchmen, truant officers, or
28 any other officers to whom the district may vote a
29 salary or other compensation.

SECT. 2. The officers of said district, under this
2 act, unless said district shall otherwise determine,
3 shall consist of three superintending school com-
4 mittee men, clerk, treasurer, collector, agent,
5 assessors, one or more auditors, chief engineer,
6 two or more assistant engineers, one or more

7 police officers, and such other officers as may be
8 provided for in the by-laws of said district ; and
9 such officers, except as herein otherwise provided,
10 shall have the same qualifications, and shall be
11 elected and qualified in the same way, and shall
12 perform in said district the same duties as similar
13 officers elected by towns, and such qualification
14 may be before the clerk of said district.

SECT. 3. Said superintending school committee
2 men shall have and exercise in said district all the
3 rights, power and authority, and shall perform all
4 the duties required by law of superintending
5 school committee men, excepting that they shall
6 report annually to the superintending school com-
7 mittee men of the town, and not to the town it-
8 self, and that the returns required by sections
9 eighty-eight, eighty-nine and ninety, chapter eleven
10 of the Revised Statutes shall be made by the super-
11 intending school committee of the town. Said dis-
12 trict, instead of said committee, may choose a
13 supervisor of schools, who shall perform the
14 duties of said committee, and his election shall
15 terminate the office of all members of such com-
16 mittee.

SECT. 4. Said assessors shall be general municipi-
2 pal officers of said district, and shall have charge

3 of its affairs and of the expenditure of money
4 therein, except so far as the same may be com-
5 mitted to other officers or persons.

SECT. 5. Said engineers shall constitute a board,
2 and as such shall have charge of the fire depart-
3 ment of said district, under such rules and ordi-
4 nances as the district may adopt, and of the
5 expenditure of money appropriated for said de-
6 partment; and said chief engineer, and in his
7 absence the assistant engineers in the order of
8 their rank, shall have exclusively all the power and
9 authority, within the limits of said district, that
10 fire wardens now have or may have, chosen by
11 towns in town meetings; but no building shall be
12 pulled down or demolished, except by the concur-
13 rence of two of said engineers and of one of the
14 fire wardens or municipal officers or a civil or mili-
15 tary officer of the town of Kennebunk, in the
16 order named, present at any fire.

SECT. 6. Said police officers and night watchmen
2 shall have, within the limits of said district, the
3 powers of constables in matters criminal or relat-
4 ing to the by-laws of said district or the town of
5 Kennebunk.

SECT. 7. Said district may establish and maintain
2 therein a public library in the same way and to

3 the same extent as towns are authorized to do,
4 and may receive, hold and manage devises, bequests
5 or gifts for the establishment, increase or main-
6 tenance thereof, and may make all needful rules
7 and regulations for the care and regulation of such
8 library and of any funds appropriated or received
9 therefor.

SECT. 8. All monies which may be raised for the
2 purposes aforesaid, or for any other purposes for
3 which the district may lawfully raise money, as
4 well as all monies heretofore lawfully raised by
5 said district which have not already been assessed,
6 shall be assessed upon the taxable polls and estates
7 embraced within said district by the assessors
8 thereof, in the same manner as is provided by law
9 for the assessment of town and county taxes, and
10 the said assessors may copy the last valuation of
11 said property by the assessors of the town of
12 Kennebunk and assess the tax thereon, or may
13 correct said valuation, or make a new one thereof,
14 according to the principles established by the last
15 act establishing a state tax, and assess the tax on
16 that valuation, and may make abatements on taxes
17 assessed in said district, in the same way as
18 assessors of towns may do.

SECT. 9. Said district is authorized to obtain, by
2 loan, money for any of the purposes for which it
3 may lawfully raise money, payable in such instal-
4 ments, not exceeding ten, and at such time or
5 times, not exceeding ten years, as the district may
6 direct in the vote authorizing such loan; but in no
7 case shall a loan be made that shall, with other
8 indebtedness, make the whole liabilities of the
9 district more than five per centum of the aggregate
10 amount of the last valuation of the estates of the
11 district upon the assessors' books; and whenever
12 the district shall vote to borrow money as afore-
13 said, the clerk of the district shall certify to the
14 assessors thereof the amount of said loan, with
15 the date or dates at which the same shall become
16 due and payable, and the assessors at each annual
17 assessment of taxes in said district after said loan
18 shall assess the amount of the instalment or pay-
19 ment on said loan, with the interest on the same,
20 that may become due that year on the polls and
21 estates in the district as if the district had voted
22 to raise it.

SECT. 10. Upon a certificate being filed with
2 the assessors of said district by the clerk thereof
3 of the amount of money raised at any legal meet-
4 ing of the inhabitants thereof, for the purposes

5 aforesaid, it shall be the duty of said assessors, as
6 soon as may be, to assess said amount upon the
7 taxable polls and estates embraced within said
8 district, and the assesment so made, as well as the
9 assessment of monies to repay any loan of said
10 district, with interest thereon, to certify and
11 deliver to the treasurer or collector of said district,
12 whose duty it shall be to collect the same in like
13 manner as town and county taxes are collected in
14 towns, and the said district collector or treasurer
15 shall have the same power and authority in col-
16 lecting the tax so assessed as a constable or town
17 collector has by law for collecting town and county
18 taxes, and shall enforce payment of the same in
19 the same manner as a town constable or town
20 collector is required to do by law, and the said
21 district shall have the same power to direct the
22 mode of collecting said taxes as towns have in the
23 collection of taxes.

SECT. 11. Whenever an apportionment shall be
2 made by the municipal officers of the town of
3 Kennebunk of the school money raised by said
4 town or received from the state or received from
5 any other source for the support of schools in said
6 town, among the several school districts thereof,
7 they shall, as soon as may be thereafter, draw their

8 orders on the treasurer of said town in favor of
9 the treasurer of said district for the amount of
10 money apportioned said district for the then current
11 municipal year, payable, one-third part on the
12 first day of June of said year, or as soon there-
13 after as said apportionment is made, if not already
14 made; another third part on the first day of No-
15 vember following, and the remaining third part on
16 the first day of March following, and on the pay-
17 ment of said orders, or their acceptance by the
18 treasurer of said town, said town shall be released
19 from all liability for the support of schools in said
20 district for that year, and said district shall be
21 liable for the support and maintenance of schools
22 therein, in the same manner as said towns would
23 have been.

SECT. 12. All monies payable to said district
2 by said town as aforesaid, or by the state, for the
3 maintenance of a free high school in said district,
4 or for any other purpose, as well as all monies
5 derived from taxation or loan or from any other
6 source, shall be paid to the treasurer of the dis-
7 trict, and received and held by him for the uses
8 of the district. The treasurer may repay all loans
9 and interest thereon, as the same may become due,
10 from any money in the treasury assessed or appro-

11 priated for that purpose, but no other money shall
12 be paid therefrom, except upon the written order
13 of the assessors, and no such order shall be drawn
14 by them, except upon a properly avouched bill of
15 items. The collector, and, when required, the
16 treasurer, shall give bonds in such sums as the dis-
17 trict may direct, to be approved by the assessors.

SECT. 13. The by-laws now in force in said dis-
2 trict shall continue to be in force, but said district,
3 at any legal meeting called for that purpose, may
4 amend or repeal the same, and may adopt new by-
5 laws, and may make all needful rules and ordi-
6 nances for the organization and government of a
7 fire department, and may prescribe the powers,
8 duties, style and rank of the engineers of the fire
9 department, and of the officers and members of
10 engine and hook and ladder companies within
11 said district, not repugnant to the laws of the
12 state.

SECT. 14. "An act authorizing the inhabitants
2 of school district number five, in the town of
3 Kennebunk, to raise money for certain purposes,"
4 approved March four, eighteen hundred and sixty-
5 eight, is hereby repealed ; but shall remain in
6 force for the preservation of rights and their rem-

7 edies existing by virtue thereof, and so far as it
8 applies to any office or trust, judicial proceeding,
9 right, contract, limitation or event already affected
10 thereby.

SECT. 15. This act shall take effect and be in
2 force on its approval by the governor, and after
3 the same shall have been accepted by a vote of
4 the district at a legal meeting called for that pur-
5 pose.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
January 23, 1885. }

Reported from Committee on Judiciary by Mr. LITTLEFIELD; ordered
printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*