

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

CHAP. 398. shows, exhibitions, and uses not inconsistent with the laws of the state or any municipal regulations of the said city of Bangor.

SECT. 2. This act shall take effect when approved.

Approved March 24, 1864.

Chapter 398.

An act amendatory of, and in addition to "an act to incorporate the city of Lewiston."

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

Act of
incorporation
amended.

SECT. 1. Section twelve of chapter one hundred five of the special laws of eighteen hundred sixty-one, entitled "an act to incorporate the city of Lewiston," is hereby amended in the fifth line, by striking out "Monday" and inserting *Tuesday*. All matters pending in, or returnable to the police court of said city which would but for the provisions of this act, have day on Monday, shall be returnable to, and have day on the Tuesday next succeeding the Monday on which they would otherwise have had day.

Police court,
matters $\frac{1}{2}$
pending in,
when shall
have day.

Recorder,
appointment
of.

SECT. 2. The justice of the police court of the city of Lewiston, may at his own expense appoint a recorder for said court during his pleasure, who shall be a justice of the peace for the county of Androscoggin, and a citizen of said city. He may make the records of said court, and in case of the sickness or absence of said justice, shall have all the powers, and exercise all the duties of said justice, except the trial of issues in civil actions.

Duties and
powers of.

School
districts,
consolidation
of, &c.

SECT. 3. The city of Lewiston is hereby authorized to consolidate the school districts in said city, and manage all the affairs of the same as one district; and also, whenever such consolidation shall take place, to assume the debts and liabilities of the several districts and to provide for them in the same manner as if the debt were contracted by the city.

Sidewalks,
owner of lot
may be
required to
build.

—how built,
&c.

—if owner
refuse or
neglect.
—commissioner
to have same
done, &c.
City shall
assume certain
portion of
expense.

SECT. 4. The city council of Lewiston may require the owner of any lot of ground fronting on any street or way in said city, to cause the footway or sidewalks in front of said lot to be paved with bricks or flat stones, with suitable curb stones, or to be covered with plank or other suitable materials, as they may deem proper, the same to be done under the direction and to the approbation of the committee on streets. If the owner of such lot shall refuse or neglect to pave or cover such sidewalk or footway to the satisfaction of said committee, for the space of twenty days after he or the tenant of such lot shall have been thereto required by the commissioner of streets, it shall then be the duty of said commissioner to procure the same to be done; and the city shall have a

lien on the property for expenses thereof, to be enforced as in the following section. The city council before requiring any such sidewalk or footway to be so paved or covered, shall by a general ordinance assume a portion of said expense to an amount not less than one third thereof, to be paid by the city in money or materials.

SECT. 5. The city council of said city may lay out, make, maintain and repair all main drains or common sewers in said city, and the mayor and aldermen may assess upon the owners of the abutting lots and other lots benefitted thereby, and who shall enter the same directly or indirectly, a proportional part of the charge of making and keeping in repair such main drain or common sewer, to be ascertained and assessed by the mayor and aldermen of said city, and by them certified after notice given thereof in writing to the party to be charged, or by advertisement for seven days in at least one newspaper in said city; but not less than a third part of the cost of making and repairing such main drain or common sewer shall be paid by the city, and not more than two-thirds of the same shall be charged to the abutters; and in case the mayor and aldermen shall adjudge any lot of land situated so as to be connected with any main drain or common sewer so constructed to require drainage in order to preserve or promote the health or welfare of the city, it shall be competent for them to give reasonable notice thereof to the owner of such lot, who shall cause the same to be drained according as the mayor and aldermen shall direct; and on failure of such owner to comply with such order, they may cause the same to be so drained, and assess the cost of such drainage upon the owner of such lot. If the owner of any lot thus directed to be drained deems such order unreasonable, he may appeal to the county commissioners, and their decision in such case shall be final; and the cost of such appeal shall be borne by the party making the appeal if the order of the city council is sustained, otherwise by the city. All assessments made under the provisions of this section shall constitute a lien on the real estate so assessed for two years after they are laid. They shall be certified by the mayor and aldermen, under their hands, to the treasurer and collector of said city and his successors with directions to collect the same according to law, and may, together with all incidental costs and expenses, be levied by sale of the real estate, by him or them, if the assessment is not paid within three months after a written demand of payment made by him or them either upon the persons assessed or their agent, or in case neither can be found in said city, upon any person occupying the estate, such sale to be conducted in like manner as sales for non-payment of taxes on land of resident owners, and with a similar right of redemption. Any person who may deem himself aggrieved by any such assessment, may

Drains, &c.,
expense by
whom paid.

—how deter-
mined, &c.
Notice, how
given.

Cost of drain,
&c., how
apportioned.

Drainage of
certain lots if
adjudged
necessary, &c.

Notice to owner
of lot.

—if owner
neglect, &c.

Owner of lot
may appeal to
county com-
missioners.

—costs how
paid.

Lien created.

Assessments,
collection of,
&c.

—if not paid
within three
months.

—how
collected, &c.

Person
aggrieved, &c.

CHAP. 399. appeal to the county commissioners, and their decision as to the sum which the appellant should pay shall be final; and in case the assessment made as aforesaid shall not be reduced on such appeal, the city shall recover costs, but otherwise shall pay costs. Any person who shall directly or indirectly enter any such main drain or common sewer without first obtaining a permit from the mayor therefor, shall be subject to a fine not exceeding one hundred dollars.

Costs, how paid.
 Person entering drain, &c.
 General meetings, purposes, and how called.

Penalty.

SECT. 6. General meetings of the citizens qualified to vote in city affairs may, from time to time, be held to consult upon the public good, to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people of the state by the constitution of this state; and such meeting shall be duly warned by the mayor and aldermen upon request of fifty qualified voters. The city clerk shall act as clerk of such meeting, and record the proceedings upon the city records.

City clerk to act as clerk of meetings.

SECT. 7. This act shall take effect on its approval by the governor.

Approved March 24, 1864.

Chapter 399.

An act changing the name of the St. Albans Academy, situate in Hartland, in the county of Somerset.

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

Corporate name changed.

SECT. 1. Chapter two hundred twenty-eight of the special laws of one thousand eight hundred thirty-two, entitled "an act to incorporate the St. Albans Academy," is hereby amended by striking out the word "St. Albans," wherever it occurs in said act, and inserting in place thereof the word *Hartland*.

Corporate name.

SECT. 2. Said academy shall hereafter be called and known as the Hartland Academy.

Approved March 24, 1864.