

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1885.

CHAP. 385

Chapter 385.

An Act to increase the capital stock of the Merchants' Marine Railway Company.

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

Authorized to hold real estate and increase capital stock.

The Merchants' Marine Railway Company is hereby authorized to hold real and personal estate to an amount not exceeding forty thousand dollars, and may increase its capital stock to an amount not exceeding said sum.

Approved February 7, 1885.

Chapter 386.

An Act relating to drains and common sewers in the town of Brewer.

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

Expense of construction, how estimated and assessed.

SECT. 1. It shall be the duty of the municipal officers of the town of Brewer, when said town has constructed and completed any public drain or common sewer, to determine what lots or parcels of land are benefited by such drain or sewer, and to estimate and assess upon such lots and parcels of land, and against the owners thereof if known, whether the same is occupied or not, such sum not exceeding such benefit as they may deem just and equitable, towards defraying the expenses of constructing and completing such drain or sewer, the whole of such assessments not to exceed three-fourths of the cost of such drain or sewer, and such drain or sewer shall forever thereafter be maintained and kept in repair by said town. Such municipal officers shall file with the clerk of said town the location and description of such drain or sewer, with the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of such lots or parcels of land, if known, and the clerk of said town shall record the same in a book kept for that purpose, and within ten days after filing such notice, each person so assessed shall be notified of such assessment by having an authentic copy of said assessment, with an order of notice, signed by the clerk of said town, stating the time and place for a hearing upon the subject matter of said assessments, given to each person so assessed,

Location of drain, etc., to be recorded.

Notice of assessment and hearing thereon, how given.

or left at his usual place of abode in said town; if he has no place of abode in said town, then such notice shall be given to or left at the abode of his tenant or lessee, if he has one in said town; if he has no such tenant or lessee in said town, then by posting the same notice in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least thirty days before said hearing; or such notice may be given by publishing the same three weeks successively in any newspaper published in the county where said town is situated, the first publication to be at least thirty days before said hearing; a return made upon a copy of such notice by any constable in said town, or the production of the paper containing such notice, shall be conclusive evidence that said notice has been given, and upon such hearing the municipal officers shall have power to revise, increase or diminish any of such assessments, and all such revisions, increase or diminution, shall be in writing and recorded by such clerk.

Assessments may be revised.

SECT. 2. Any person not satisfied with the amount for which he is assessed may within ten days after such hearing, by request, in writing, given to such clerk, have the assessment upon his lot or parcel of land determined by arbitration. The municipal officers shall nominate six persons who are residents of said town, two of whom selected by the applicant, with a third resident person selected by such applicant, may fix the sum to be paid by him, and the report of such referees, made to the clerk of said town and recorded by him, shall be final and binding upon all parties. Said reference shall be had and their report made to said clerk within thirty days from the time of hearing before such municipal officers named in section one of this act.

—may be determined by arbitration.

SECT. 3. Any person may enter his private drain into any such public drain or common sewer, while the same is under construction, and before the same is completed, and before the assessments are made, on obtaining a permit, in writing, from the selectmen, or the committee having the construction of the same in charge; but after the same is completed and the assessments made, no person shall enter his private drain into the same until he has paid his assessment, and obtained a permit, in writing, from the selectmen. All permits given to enter any such drain or sewer shall be recorded by the town clerk of said town, before the same are issued.

Conditions upon which private drains may be entered into public sewers.

—permits shall be recorded.

CHAP. 386

Lien for pay-
ment of
assessments.

SECT. 4. All assessments made under the provisions of this act, shall create a lien upon every lot or parcel of land so assessed, and the buildings upon the same, which lien shall continue one year after said assessments are made; and within ten days after they are made, the clerk of said town shall make out a list of all such assessments, the amount of each assessment, and the name of the person, if known, against whom the same is assessed, to be by him certified; and he shall deliver the same to the treasurer of said town, and if said assessments are not paid within three months from the date of said assessments, then the treasurer shall proceed and sell such of said lots or parcels of land upon which such assessments remain unpaid, or so much thereof, at public auction, as is necessary to pay such assessments and all costs and incidental charges; he shall advertise and sell the same in the same way and manner that real estate is advertised and sold for taxes under chapter six of the revised statutes, which sale shall be made within one year from the time said assessments are made; and upon such sale, the treasurer shall make, execute and deliver his deed to the purchaser thereof, which shall be good and effectual to pass the title of such real estate; the sum for which such sale shall be made, shall be the amount of the assessment and all costs and incidental expenses.

Lots may be sold
for non-payment
of assessments.

—may be
redeemed upon
payment of
assessments.

SECT. 5. Any person to whom the right by law belongs, may, at any time within one year from the date of said sale, redeem such real estate, by paying to the purchaser of his assigns the sum for which the same was sold, with interest thereon, at the rate of twenty per cent per annum, and the costs of re-conveyance.

Actions may be
maintained by
town for assess-
ments.

SECT. 6. If said assessments are not paid, and said town does not proceed to collect said assessments by sale of the lots or parcels of land upon which such assessments are made, or does not collect, or is in any manner delayed or defeated in collecting such assessments by a sale of the real estate so assessed, then the said town, in the name of the inhabitants of said town, may sue for and maintain an action against the parties so assessed for the amount of said assessments, as for money paid, laid out and expended, in any court competent to try the same, and in such suit may

recover the amount of such assessment, with twelve per cent interest on the same from the date of said assessment, and costs.

SECT. 7. This act shall take effect when approved.

Approved February 7, 1885.

Chapter 387.

An Act additional in reference to the Rumford Falls and Buckfield Railroad Company.

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

SECT. 1. The first section of the act passed in the year of our Lord, one thousand eight hundred and seventy-four, entitled "an act to incorporate the Rumford Falls and Buckfield Railroad Company" is amended in that part of said section which describes the line of said railroad, by inserting after the word "Mexico" the words 'or Rumford,' and also by adding after the words "Rumford Falls" the words 'also through the towns of Andover, Roxbury or Byron;' and the first section of the act of the year of our Lord one thousand eight hundred and seventy-nine, entitled "An Act additional to an act to incorporate the Rumford Falls and Buckfield Railroad Company," is amended by inserting in place of the words "eighteen hundred and eighty-five" the words 'eighteen hundred and eighty-nine.'

Sec. 1 of the act to incorporate the Rumford Falls & Buckfield R. R., amended.

SECT. 2. For the purpose of extending the railroad of said corporation as authorized herein and in previous acts relating thereto, said corporation is permitted to increase its capital stock to the amount of three hundred thousand dollars in addition to the capital stock heretofore authorized.

Authorized to increase capital stock.

SECT. 3. Said corporation is also authorized to issue preferred stock for the purpose of exchanging the same for all or any part of its present or future indebtedness, including receivers' certificates, such exchange to be at a rate of not more than one dollar in stock for each dollar of such indebtedness exchanged, including receivers' certificates. Said corporation may make such provisions as it deems proper in reference to the voting power of the holders of any of such stock, and also in reference to guaranteeing the payment of

—to issue preferred stock.

—may regulate voting powers of holders of stock.