

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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1885.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1885.

Chapter 461.

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 :

Inhabitants of school district No. 5, in Kennebunk declared a corporation.

Powers.

SECT. 1. The inhabitants of school district number five in the town of Kennebunk shall continue to be, and are hereby declared to be, a corporation, and are hereby authorized, in addition to the power now conferred by law upon school districts, at any legal meeting called for the purpose, to raise, by assessment or by loan as hereinafter provided, such sums of money as may be deemed necessary and sufficient for the maintenance of graded schools in said district; for organizing and maintaining within the limits of said district an efficient fire department; for building, purchasing, renting, repairing and maintaining school houses, engine houses, hook and ladder carriage houses, and lock-ups or police stations; for purchasing, repairing and maintaining fire engines, hose, ladders, buckets, machines and other apparatus for the extinguishment and prevention of fires; for the construction and repair of reservoirs and aqueducts; for the procuring of water and pumps, pipes and machinery for handling and distributing the same; for establishing and maintaining a public library in said district, in the same way and to the same extent that towns may do; for the purchasing or renting of real estate for any of the above purposes; to pay for the services of one or more police officers, night watchmen, truant officers, or any other officers to whom the district may vote a salary or other compensation.

Officers and how chosen.

SECT. 2. The officers of said district, under this act, unless said district shall otherwise determine, shall consist of three superintending school committee men, clerk, treasurer, collector, agent, assessors, one or more auditors, chief engineer, two or more assistant engineers, one or more police officers, and such other officers as may be provided for in the by-laws of said district; 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 in said district the same duties as similar officers elected by towns, and such qualification may be before the clerk of said district.

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SECT. 3. Said superintending school committee men shall have and exercise in said district all the rights, power and authority, and shall perform all the duties required by law of superintending school committee men of towns, excepting that they shall report annually to the superintending school committee men 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 district, 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.

Powers of S. S. committee.

To report annually.

May choose supervisor of schools, instead of committee.

SECT. 4. Said assessors shall be the general municipal officers of said district, 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.

Duty of assessors.

SECT. 5. Said engineers shall constitute a board, and as such shall have charge of the fire department of said district, under such rules and ordinances as the district 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 district, that fire wardens now have or may have, chosen by towns in town meetings; 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 of Kennebunk, in the order named, present at any fire.

—of board of engineers.

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

—of police and night watchmen.

SECT. 7. Said district may establish and maintain therein a public library, in the same way and to the same extent as towns are authorized to do, and may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance thereof, and may make all needful rules and regulations for the care and regulation of such library, and of any funds appropriated or received therefor.

May establish public library.

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Taxes, how assessed.

SECT. 8. All moneys which may be raised for the purposes aforesaid, or for any other purposes for which the district may lawfully raise money, as well as all moneys heretofore lawfully raised by said district, which have not already been assessed, shall be assessed upon the taxable polls and estates embraced within said district 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 the town of Kennebunk, 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 district in the same way as assessors of towns may do.

—valuation, how fixed.

Authorized to obtain a loan.

SECT. 9. Said district is authorized to obtain by loan money for any of the purposes for which it may lawfully raise money, payable in such instalments, not exceeding ten, and at such time or times not exceeding ten years as the district 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 district more than five per cent of the aggregate amount of the last valuation of the estates of the district upon the assessors' books. And whenever the district shall vote to borrow money as aforesaid, the clerk of the district 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 district after said loan shall assess the amount of the installment or payment on said town, with the interest on the same, that may become due that year on the polls and estates in the district as if the district had voted to raise it.

—liabilities restricted.

Clerk to certify amount of loan authorized, to assessors.

Assessment and collection of taxes.

SECT. 10. Upon a certificate being filed with the assessors of said district by the clerk thereof, of the amount of money raised at any legal meeting of the inhabitants thereof for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the taxable polls and estates embraced within said district, and the assessment so made, as well as the assessment of moneys to repay any loan of said district with interest thereon, to certify and

deliver to the treasurer or collector of said district, whose duty it shall be to collect the same in like manner as town and county taxes are collected in towns, and the said district collector or treasurer shall have the same power and authority in collecting the tax so assessed as a constable or town collector has by law for collecting town and county taxes, and shall enforce payment of the same in the same manner as a town constable or town collector is required to do by law, and the said district shall have the same power to direct the mode of collecting said taxes as towns have in the collection of taxes.

SECT. 11. Whenever an apportionment shall be made by the municipal officers of the town of Kennebunk of the school money raised by said town, or received from the state, or received from any other source for the support of schools in said town among the several school districts thereof, they shall, as soon as may be thereafter, draw their orders on the treasurer of said town in favor of the treasurer of said district for the amount of money apportioned said district for the then current municipal year, payable one-third part on the first day of June of said year, or as soon thereafter as said apportionment is made, if not already made; another third part on the first day of November following, and the remaining third part on the first day of March following, and on the payment of said orders, or their acceptance by the treasurer of said town, said town shall be released from all liability for the support of schools in said district for that year. And said district shall be liable for the support and maintenance of schools therein in the same manner as said town would have been.

Apportionment
of school money.

—when payable.

SECT. 12. All moneys payable to said district by said town as aforesaid, or by the state for the maintenance of a free high school in said district, or for any other purpose, as well as all moneys derived from taxation or loan, or from any other source, shall be paid to the treasurer of the district, and received and held by him for the uses of the district. The treasurer shall repay all loans and interest thereon, as the same may become due, from any money in the treasury assessed or appropriated for that purpose, but no other money shall be paid therefrom except upon the written order of the assessors, and no such order shall be drawn by them except

All moneys to be
paid to the
treasurer.

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Collector and
treasurer to give
bonds.

upon a properly avouched bill of items. The collector, and when required, the treasurer, shall give bonds in such sums as the district may direct, to be approved by the assessors.

By-laws.

SECT. 13. The by-laws now in force in said district shall continue to be in force, but said district, at any legal meeting called for that purpose, may amend or repeal the same and may adopt new by-laws and may make all needed 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 officers and members of engine and hook and ladder companies within said district, not repugnant to the laws of the state.

Former act
authorizing the
raising of money,
repealed.

SECT. 14. "An act authorizing the inhabitants of school district number five, in the town of Kennebunk, to raise money for certain purposes," approved March four, eighteen hundred and sixty-eight, is hereby repealed; but shall remain in force for the preservation of all rights and their remedies existing by virtue thereof, and so far as it applies to any office or trust, judicial proceeding, right, contract, limitation or event already affected thereby.

When act takes
effect.

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

Approved February 27, 1885.