

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.
1887.

ACTS AND RESOLVES

OF THE

SIXTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE.

1889.

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

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1889.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1889.

CHAP. 425

—notice of sale,
how given.

—proceeds, how
disposed of.

Board of
trustees, qualifi-
cation and
tenure.

tion may purchase said property at such sale. Notice of the time and place of sale shall be published three weeks successively in a public newspaper, in Ellsworth, in Hancock county, and in a public newspaper in the shire town of the county, in which the court is situated, the first publication to be thirty days before the day of sale. If there be no public newspaper in the places above named, then the notices may be published in any other newspaper in the county or in the state paper. The proceeds of such sale after paying the costs of sale and the debt and interest secured by the mortgage, shall belong to the mortgagor or his assigns, and be paid to him or on their demand.

SECT. 12. The affairs, business and powers of said corporation shall be managed by a board of trustees, all residents of this state, to be chosen by the stockholders, and whose number and tenure of office may be fixed by the stockholders. The trustees may appoint a president, treasurer and all other appropriate officers and agents.

Approved February 23, 1889.

Chapter 425.

An Act to authorize the Selectmen of the town of Eastport to construct Drains and Common Sewers.

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

Expense of
construction of
sewers, in
Eastport, how
estimated and
assessed.

—location of
sewer, and
assessments, to
be recorded.

SECT. 1. It shall be the duty of the municipal officers of the town of Eastport, when said town has constructed and completed any public drain or common sewer, to determine what lots or parcels of land are benefited by said 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 assessment 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 attested 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 assessment, given to each person so assessed, 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.

—notice of assessment, and hearing thereon, how given.

—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 officer 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, who 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.

Assessments, how determined, in case any person is not satisfied.

SECT. 3. Any person may enter his private drain into such public drain or common sewer, while the same is under

Conditions upon which private drains may enter public sewer

CHAP. 425

—permits, to be recorded.

Lien on lots, for payment of assessments.

—how enforced

Lots may be redeemed.

If assessments are not paid, or enforced by sale, town may maintain action.

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 assessment 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.

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 to 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.

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 or his assignee 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.

SECT. 6. If said assessments are not paid, and the town does not proceed to collect said assessments by sale of the lots or parcels of land upon which said 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 assessment, 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 23, 1889.

Chapter 426.

An Act to set off a portion of the town of Sangerville and annex the same to the town of Guilford.

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

SECT. 1. All that part of lot number eight, range one, originally lotted as a part of township number six, range seven, now Guilford, which now lies in the town of Sangerville, Piscataquis county, described as follows : commencing at the south-east corner of said lot number eight, thence northerly on the east line of said lot to the center of Piscataquis river, thence westerly up the center of said river to the east line of said Guilford on the south side of Piscataquis river, thence southerly on the east line of said Guilford to the north-west corner of said Sangerville, as originally lotted, thence easterly on the south line of said lot to the first named bound, is set off from the town of Sangerville, and the same is annexed to the town of Guilford.

Sangerville and
Guilford, set off.

SECT. 2. In order to equalize the burdens between said two towns of Guilford and Sangerville, as to roads, bridges, paupers and schools, and all other equities between the parties, said town of Guilford, as it shall exist after the annexation herein provided, shall pay to the said town of Sangerville, as the same shall exist after such annexation, within ten days after this act takes effect, the sum of one thousand dollars ; and if the same shall not be paid within the time aforesaid, an action of debt for the recovery of the same may be maintained by the inhabitants of said Sanger-

Burdens,
equalized.