

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 519.

An Act relating to the Maine Eye and Ear Infirmary.

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

Sect. 1. The Maine Eye and Ear Infirmary, a corporation organized under the laws of this state, and located at Portland, in the county of Cumberland, which organization is hereby ratified, confirmed and declared to be legal and valid, is authorized and empowered for the purposes of its organization, to receive, take and hold, by deed, devise, bequest, or otherwise, property, personal and real, to the amount of one million dollars, including all gifts, conveyances, bequests and devises heretofore made to said corporation; but it is not the intent of this act to affect, and nothing herein shall affect, directly or indirectly, any litigation now pending in the supreme judicial or probate courts of this state.

Corporation authorized to hold property to the amount of \$1,000,000.

—act shall not affect pending litigation.

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

Approved March 25, 1897.

Chapter 520.

An Act to establish Wards and Ward Lines in the City of Augusta.

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

Sect. 1. Section sixteen of chapter two hundred and twenty-four of the private and special laws of eighteen hundred and forty-nine, as amended, is hereby further amended so as to read as follows:

Section 16, chapter 224, private laws, 1849, amended.

'Sect. 16. For the purpose of holding elections, said city shall be divided into eight wards, to contain as near as conveniently may be, an equal number of voters; and it shall be the duty of the city council once in ten years, and not oftener than five years, to review, and if it be needful to alter said wards, in such manner as to preserve, as nearly as many be, an equal number of inhabitants in each. Said wards are hereby established according to the following boundaries:

Wards, number and how established.

—boundaries.

Ward one embraces all the territory south of the following line; beginning at the Kennebec river on the north line of Court street extended; thence westerly on said line to the east line of

—ward 1.

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Water street; thence on the east line of Water street and of Grove street to the north line of Western avenue; thence on the north line of Western avenue to the Manchester line.

—ward 2.

Ward two is on the north side of the division line described in ward one, and comprises the balance of ward one as it existed prior to the passage of this act, after deducting therefrom ward one as hereby established.

—wards 3, 4,
5, 6, 7, 8.

Ward three embraces the same territory and has the same boundaries as the old ward two, ward four the same as the old ward three, ward five the same as the old ward four, ward six the same as the old ward five, ward seven the same as the old ward six, and ward eight the same as the old ward seven. The words 'old ward' in this description mean the ward as it existed prior to the passage of this act, and the words 'the same as' mean 'embraces the same territory and has the same boundaries as.'

—warden
and clerk
shall be
chosen annually
in each ward.

In each of said wards there shall annually, on the second Monday of March, be chosen by ballot a warden and clerk, who shall enter on the duties of their respective offices on the Monday next following their election, and hold their offices for one year therefrom, and until others shall have been chosen and qualified in their places. Said warden and clerk shall be sworn to the faithful performance of their respective duties by any justice of the peace of said city; and a certificate of such oaths having been administered shall be entered by the clerk on the records of the ward. The wardens shall preside at all ward meetings, with the power of moderators of town meetings, and if at any meeting the warden should not be present the clerk of such ward shall call the meeting to order and preside until a warden, pro tempore, shall be chosen. If neither of them should be present, any legal voter in the ward may preside until a clerk, pro tempore, shall be elected. In case no justice of the peace shall be present, the person presiding may administer the oath to the warden and clerk. The clerk shall record all the proceedings and certify the votes given, and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. The list of the names of the legal voters in each ward shall be prepared as provided by the laws of this state; and all regular ward meetings shall be notified and called by the mayor and

—shall be
sworn.

—duties of
wardens.

—warden,
pro tem,
election of.

—how
sworn.

—duties of
clerk.

—assistant
wardens
may be
chosen.

—lists of
voters, and
ward meet-
ings.

aldermen, in the manner prescribed by the laws of this state for notifying and calling town meetings by the selectmen of the several towns, excepting that ward meetings for the election of mayor, after the second trial, may be called within the time provided in such cases in this act.'

Sect. 2. Section two of said chapter two hundred and twenty-four, as amended, is hereby further amended by striking out the word "seven" and inserting instead thereof the word 'eight,' and by striking out the word "fourteen" and inserting instead thereof the word 'sixteen,' so that said section, as amended, shall read as follows:

'Sect. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, to be styled the mayor; and one council of eight to be denominated the board of aldermen; and one council of sixteen, to be denominated the common council, all of whom shall be inhabitants of said city; which boards shall constitute and be called the city council; all of whom shall be sworn to the faithful performance of the duties of their respective offices; provided, the city council shall not vote, assess or appropriate any money for any object or purpose for which the town of Augusta is not authorized to vote, assess and appropriate money, except for such purposes as are authorized by this act. And provided further, that neither the city council, nor any agent or officer of the city, shall borrow or hire any money for or on account of the city or inhabitants thereof, except for the purposes for which the town of Augusta is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders given by the city council or any officer or agent thereof for money or property obtained for any other purposes shall be void.'

Sect. 3. This act shall not be binding upon said city until accepted by a majority vote of such of the legal voters thereof as shall vote at the election as herein provided. It shall be submitted to the qualified voters of the city of Augusta for their acceptance at an election to be specially called and held for the purpose within sixty days after the approval of this act. Such election shall be called, advertised and conducted according to the law relating to municipal elections. The city clerk shall cause to be printed on the ballots used at such election the question 'Shall the wards of the city of Augusta be numbered and bounded according to the provisions of an 'An Act to establish

Section 2,
amended.

Adminis-
tration of
affairs
vested in
the mayor.

—alder-
men.

—council.

—power to
raise
money.

—power to
hire money.

Act not
binding, un-
til accepted
by voters of
city.

—question,
how sub-
mitted.

—form of
question.

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Wards and Ward Lines in the City of Augusta,' as follows,' and shall insert after said question the ward boundaries herein given, so that the voter may indicate his opinion upon said question by a cross against the words 'yes' or 'no.'

If act is accepted, new lists of voters shall be made for each ward.

Sect. 4. In case the provisions of this act are accepted as provided in section three, it shall be the duty of the board of registration of the city of Augusta when next making up the preliminary lists of voters as required by law, to make up new lists for each of the wards established by this act, placing upon said new lists the names of all voters who, according to the check lists as at present made up, and according to all other reliable sources of information of which the board may lawfully avail itself, appear to be residents of the wards hereby created. In all future registrations of voters in said city, in case the provisions of this act are accepted as aforesaid, their ward residence shall be determined according to the ward limits herein established.

Appointment of election and ballot clerks.

Sect. 5. In case the provisions of this act are accepted as provided in section three, the municipal officers of the city of Augusta shall, between the first and the twelfth days of February, eighteen hundred and ninety-eight, in accordance with the existing provisions of law, appoint two election and two ballot clerks for each of the wards hereby created. Said clerks, being first duly sworn, shall enter upon the performance of their duties at the municipal election in said city, March, eighteen hundred and ninety-eight. They shall hold office until May, eighteen hundred and ninety-eight, and until their successors are chosen and qualified. When said clerks have been appointed and qualified, the terms of office of all such clerks then in office shall thereupon cease.

—when clerks shall enter upon duties.

—tenure.

Election of warden and ward clerk, when act is accepted.

Sect. 6. In case the provisions of this act are accepted as provided in section three, the city council of the city of Augusta shall, between the first and twelfth days of February, eighteen hundred and ninety-eight, elect in joint convention, a warden and a ward clerk for each of the wards hereby created. Said wardens and ward clerks, being first duly sworn, shall serve at the municipal election in said city in March, eighteen hundred and ninety-eight. When said wardens and ward clerks have been elected and qualified, the terms of office of all wardens and ward clerks then in office shall thereupon cease.

—when such officers shall enter upon duties.

Act shall not affect tenure of

Sect. 7. This act shall not be construed to affect in any way the tenure of office of any alderman, councilman or other officer

of the city of Augusta, elected or appointed prior to the municipal election of March, eighteen hundred and ninety-eight, in said city, except as provided in sections five and six.

city officers elected prior to election in 1898.

Sect. 8. All acts and parts of acts, all provisions of the charter of the city of Augusta, and all orders and ordinances of said city inconsistent herewith, are repealed and declared inoperative and of no effect, but this repeal shall not take effect, except as to the sections specified in section nine hereof, until February twelve, eighteen hundred and ninety-eight, and then only in case this act shall have been accepted as provided in the third section hereof.

Inconsistent acts, and ordinances, repealed.

—how repeal shall take effect.

Sect. 9. This act, except as to sections three, four, five, six and seven, shall take effect February twelve, eighteen hundred and ninety-eight, and as to said sections it shall take effect when approved.

When act shall take effect.

Approved March 25, 1897.

Chapter 521.

An Act to incorporate the Wilton Electric Light and Power Company.

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

Sect. 1. A. B. Adams, M. D., H. R. Dascomb, M. Holmes, H. S. Houghton and C. N. Blanchard, their associates, successors and assigns are hereby constituted a corporation by the name of the Wilton Electric Light and Power Company, with all the powers and subject to all the liabilities of corporations.

Corporators.

—corporate name.

Sect. 2. Said company is authorized and empowered to carry on the business of lighting by electricity or otherwise, such public streets in the towns of Wilton and Jay, and such buildings and places therein, public and private as may be agreed upon by said corporation and the owners or those having control of such places to be lighted, and may furnish motive power by electricity or otherwise within said towns and may build and operate manufactories and works for providing and supplying electricity, light and power, and may take, lease, purchase and hold real estate, and personal estate to the amount of one hundred thousand dollars, and to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity or power, upon, under, along and over any and all

Authorized to furnish light and motive power in Wilton and Jay.

—may hold real estate.

—maintain lines along streets.