

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1901

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1901.

CHAP. 422

Katahdin Iron Works Railway, all which bonds of the three companies last named the Bangor and Aroostook Railroad Company has agreed to pay; to purchasing and retiring such of the outstanding preferred stock of the Bangor and Aroostook Railroad Company as its directors shall vote to purchase, provided, however, if any of such preferred stock shall be so purchased and retired, said railroad company shall also purchase of the holders thereof so much of the remainder of such preferred stock as such holders shall offer to said railroad company for the same price paid by said railroad company for its preferred stock of like kind; to purchasing the Aroostook Northern Railroad, and the Patten and Sherman Railroad, and the Bangor and Katahdin Iron Works Railroad and the franchises thereof, or the capital stock of any or all of the companies owning the last three named railroads, all of which it is hereby authorized to do; to paying the cost of improvements and equipment of the existing railroad; and to paying the costs, charges, commissions and all expenses of such refunding, purchasing and retiring such bonds and stock and purchasing such railroads and franchises.

Section 2. This act shall take effect when approved.

Approved March 19, 1901.

Chapter 422.

An Act to incorporate the East Pittston Village Corporation.

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

Territory and
limits.

Section 1. The territory embraced within the following bounds, namely: Beginning at the northwest corner of the cemetery lot nearly opposite the house of Myrick Moody; thence a southwesterly course crossing the highway and the land of M. J. Donnell to the northwest corner of land of Laura J. Call; thence a southwesterly course in line of said Call's land, to the northwest corner of land of C. B. Moody; thence a southwesterly course in line of said Moody's land to land of Leonard Moody; thence a southwesterly course across land of said Leonard Moody to the north line of land owned by L. B. Pulsifer; thence an easterly course on line of said Pulsifer's land to Eastern river; thence down said river to southwest corner of land of H. H. Cary; thence an easterly course on south bound of land of H. H. Cary, Henry Knight, John H. Bailey, and O. W. Nash; and thence continuing said easterly course to Whitefield town line; thence a northeasterly course in line of said Whitefield town line

to the northeast bounds of James Farrell's land; thence a northwesterly course in line of said Farrell's north bounds to his northwest corner bounds; thence a southerly course in line of said Farrell's northwest bounds to his southwest corner bounds; thence an easterly course on said Farrell's south bounds to the Eastern river, so called; thence down the course of said river to the southeast corner of land owned by Avis Carter; thence a northwesterly course in line of said Carter's south bounds to road leading from East Pittston to North Pittston; thence a southerly course in line of said road to bounds begun at; together with the inhabitants thereon, be, and the same is hereby created a body politic and corporate by the name of East Pittston Village Corporation, with all the rights and privileges granted by the laws of the state to similar corporations.

—corporate name.

Section 2. Said corporation is hereby authorized 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 organizing and maintaining within the limits of said corporation, an efficient fire department; for building, renting, purchasing, repairing and maintaining engine houses, hook and ladder carriage houses, and lockups or police stations; for purchasing, repairing and maintaining fire engines, hose, ladders, buckets, machines and other apparatus for the extinguishment and prevention of fire; for the location, construction and repair of reservoirs and aqueducts; for the procuring of water, and pumps, hydrants and machinery for handling and distributing the same; for building, repairing and maintaining sidewalks and sewers; for setting out, maintaining and caring for shade trees; for maintaining and improving the common lands; for the purchasing and renting of real estate for any of the above purposes; to pay for the services of one or more police officers, night watchmen or any other officers to whom the said corporation may vote a salary or other compensation; to erect and maintain lamp posts and lamps, and to provide for lighting the streets by lamps or otherwise; for school purposes. Said corporation may receive, hold, and manage devises, bequests and gifts for any of the above purposes, and for the purpose of public improvements within said territory.

Authorized to raise money by assessment.

—purposes.

—may receive and hold bequests.

Section 3. Money raised by said corporation for the purposes aforesaid; also to pay any loan obtained for any of the purposes set forth in section two; also for any lawful purpose; shall be assessed upon the property and polls, within the territory aforesaid, by its assessors, in the same manner in which the town taxes are assessed. The assessors may copy the last valuation of said property made by the assessors of the town of

Money, how assessed.

—valuation, how made.

CHAP. 422

Pittston, and assess the tax thereon; or if the corporation shall so direct, may correct said valuations, or make a new valuation thereof according to the principles established by the last state tax, and assess the tax on that valuation, and may make abatements on taxes assessed in the same manner as assessors of towns may do.

Assessment
of taxes, how
made.

Section 4. Upon a certificate being filed with the assessors of the corporation by the clerk thereof, showing the amount of money lawfully raised at any meeting, they shall proceed as soon as may be to assess the same upon the polls and estates of the persons residing, or embraced within the limits of the territory aforesaid, and upon the estates therein of non-resident proprietors, and the assessment so made as well as the assessment of money to repay any loan of said corporation, with interest thereon, shall be certified and delivered to the collector of said corporation, who shall collect the same as town taxes are collected, and pay the same within such time as his warrant shall prescribe, to the corporation treasurer; and said collector shall have the same power and authority in collecting the taxes 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 corporation shall have the same powers to direct the mode of collecting taxes as towns have in the collection thereof.

—collection
of taxes.

All moneys
shall be re-
ceived and
paid out by
the treasurer.

Section 5. All moneys received by said corporation from taxation or loan, or from any other source, shall be paid to the treasurer, and he shall receive the same and pay it out on the order of the assessors, for legitimate expenses of the corporation, and other purposes for which it may be obtained, and shall keep regular accounts of all his official transactions, and exhibit the same to the assessors when requested, and make report to each meeting of the corporation at which officers are chosen.

May issue
bonds.

—how signed.

Section 6. Said corporation may issue its bonds for money obtained under the provisions of section two of this act, or may issue its notes therefor; such bonds or notes shall be signed by the assessors and treasurer, and shall be upon such time, and bear such rate of interest as said corporation may find expedient.

By-laws.

Section 7. Said corporation at any legal meeting may adopt a code of by-laws, not repugnant to the laws of this state, nor to its charter, for the efficient management of its affairs.

Officers and
tenure.

Section 8. The officers of said corporation shall consist of a clerk, treasurer, collector, three assessors, and such other officers as its by-laws may provide for, and said officers shall hold office for one year from the date of their election, or until their successors are chosen and qualified, and shall severally have all the

CHAP. 422

powers and authority within the limits of said corporation that similar officers chosen by towns now have or may have; said officers shall be chosen by ballot, the first election to be at the meeting of the legal voters of said corporation at which this charter is accepted; and the annual election of officers shall be in the month of April at a place and time to be designated by the by-laws of said corporation. Said officers shall be sworn to the faithful performance of their respective duties.

—powers.

—shall be chosen by ballot.

—annual election shall be in April.

Section 9. The clerk shall record all the doings and proceedings at the meetings of the corporation.

Clerk shall keep record of doings.

Section 10. The collector and treasurer shall each give bond with such sureties as the assessors of the corporation may approve, in a sum not less than double the amount of the taxes raised as aforesaid, to the inhabitants of the corporation, for the faithful performance of their duties, and said bonds shall be approved in writing by the assessors, and thereafter deposited and retained by the clerk.

Collector and treasurer shall give bonds.

Section 11. The assessors of said corporation are hereby given the exclusive supervision and control of maintaining and repairing the highways and bridges within the limits of said corporation; and for that purpose the same rights and powers are conferred upon said assessors as are now, or may hereafter be, conferred by law upon road commissioners and selectmen of towns in relation to maintaining and repairing ways and bridges. The inhabitants of said corporation shall be responsible for all damages resulting from defects in the highways and bridges within the limits of said corporation, and shall reimburse the town of Pittston for any and all damages and costs recovered against said town for or on account of defects in said highways and bridges.

Assessors shall have exclusive control of highways.

—inhabitants responsible for defects in highways.

Section 12. The town treasurer of the town of Pittston shall pay to the treasurer of said corporation one-half of such proportion of all moneys voted for highways and bridges and for the payment of unpaid highway bills, at any and all town meetings of said town including that of nineteen hundred and one by the first day of September, and the remaining one-half of such proportion by the first day of the following January of each year, as the valuation of the property and estates within said corporation, as fixed by the assessors of said town for the purposes of taxation, bears to the valuation of the property and estates within said town of Pittston, including said corporation; and said money shall be expended upon the highways and bridges within the limits of said corporation by and under the supervision of said corporation assessors. Said corporation may raise money for the maintaining and repairing ways and bridges within the limits

When money raised for highways shall be paid to the treasurer of the corporation.

—corporation may raise additional money for ways and bridges.

CHAP. 422

of said corporation, in addition to the foregoing, and direct the same to be assessed as other taxes are assessed in said corporation, and the same shall be expended by and under the supervision of the assessors of said corporation.

How labor and materials raised by town may be applied with in limits of corporation.

Section 13. Whenever said town is authorized and votes to raise and apply any amount of labor and materials upon the highways and bridges in said town, the assessors of said town shall, as soon as may be thereafter, certify to the assessors of said corporation, the amount of said labor and amount of said materials voted and raised by said town, which said assessors of said corporation may apply and use in repairing and maintaining the ways and bridges within the limits of said corporation; which amounts shall be such proportion of the total amount of labor and total amount of materials, as the valuation of said corporation as aforesaid bears to the valuation of said town as aforesaid; and the assessors of said corporation are hereby authorized to expend and apply in maintaining and repairing the highways and bridges within said corporation limits such amounts in labor and materials as are certified to them as aforesaid. Every person performing or furnishing labor, or furnishing materials for maintaining or repairing highways and bridges within said corporation limits, under the order or direction of said corporation assessors shall, as soon thereafter as may be, render a sworn statement thereof in detail, to said corporation assessors, who shall proceed to examine the same, and if found correct, shall enter the items thereof in a book to be kept for that purpose, and shall also certify in writing signed by said assessors on said statement, that the same is correct, and allowed by them. Said statement when so certified shall be received by the treasurer of said town in payment of taxes assessed to the holder thereof, but said statement shall not exceed in the aggregate the amount of labor and material certified to said corporation assessors by said town assessors as aforesaid.

—persons furnishing labor or materials shall render sworn statement thereof.

—statement shall be received by town treasurer in payment of taxes.

How and when charter may be accepted.

Section 14. This charter may be accepted at any time within three years from its approval by the governor, and its rejection in any calendar year shall not prevent its acceptance in any later calendar year during the time aforesaid. C. C. Libby or H. H. Cary, or either of them, may call all meetings of the inhabitants of said territory previous to the acceptance of this charter, by posting a notice, stating the time, place and objects of said meeting, in at least three public and conspicuous places in said territory, at least seven days before the time of holding said meeting, and all subsequent meetings shall be called and notified by the assessors of said corporation as town meetings

—meetings, how called.

are called and notified, unless said corporation shall otherwise define the manner of calling and notifying its meetings.

Section 15. Every person residing within the limits of said corporation, qualified to vote for governor, senators and representatives, shall be a legal voter at any meeting of said corporation.

Qualification of voters.

Section 16. At any meeting prescribed in section fourteen of this act, the legal voters shall elect a moderator and clerk, both of whom shall be sworn by some justice of the peace, for the faithful discharge of their duties, and thereupon said meeting shall proceed by ballot to vote on the question of accepting this charter, and if a majority of all the legal voters present and voting at said meeting, shall vote in favor of its acceptance, then it shall take effect, and said corporation may immediately after said vote is declared, proceed to the adoption of by-laws and the election of officers as provided in sections seven and eight of this act.

Proceedings of meetings called to vote on acceptance of this act.

Section 17. This act shall take effect when approved by the governor, but shall not bind the inhabitants of the territory aforesaid until its acceptance by them as hereinbefore provided.

When act shall take full effect.

Approved March 19, 1901.

Chapter 423.

An Act to authorize the Penobscot Log Driving Company to rebuild and raise the height of North Twin Dam, or to build a new dam to take the place of said North Twin Dam.

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

Section 1. The Penobscot Log Driving Company is hereby authorized to rebuild in such manner as it may see fit its North Twin dam, and may raise the height of the same, and for any flowage caused by such increased height of said dam said company shall be subject to the general laws in relation to flowage the same as individuals under the mill act, so called. Said company is hereby given the power to build a new dam to take the place of said North Twin dam, and such new dam may be built at such a distance from the present dam that such dam may serve as a coffer dam, and said company may increase the height of said new dam, and for any flowage caused by such increased height of said dam said company shall be subject to the general laws in relation to flowage, the same as individuals under the mill act, so called.

Penobscot Log Driving Company authorized to rebuild its dams.

—damage for flowage.

—how dam may be constructed.