

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1903.

Chapter 166.

An Act to repeal Sections one to forty-seven, inclusive, and Sections forty-nine to eighty-two, inclusive, of Chapter forty-seven of the Revised Statutes, relating to Banks of Discount.

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

Section 1. Sections one to forty-seven, both inclusive, and sections forty-nine to eighty-two, both inclusive, of chapter forty-seven of the revised statutes are hereby repealed.

Section 2. The sections declared to be repealed in the foregoing section remain in force for the trial and punishment of all past violations of them; and for the recovery of penalties or forfeitures already incurred; and for the preservation of all rights and their remedies existing by virtue of them; and so far as they apply to any office, trust, judicial proceeding, right, contract, limitation or event already affected by them.

Section 3. This act shall take effect when approved.

Approved March 26, 1903.

Sections 1 to 47, both inclusive, and sections 49 to 82, both inclusive, of chapter 47, R.S., repealed. Sections repealed shall remain in force for past violations, etc.

Chapter 167.

An Act to amend Sections thirty-two, thirty-three, thirty-four, thirty-five of Chapter eighteen of the Revised Statutes, relating to the assessment of damages upon Abutters on City Streets.

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

Section 1. Section thirty-two of said chapter eighteen is hereby amended by striking out the word "thirty" in the third and eighth lines of said section and substituting in place thereof the word 'ten,' so that said section as amended shall read as follows: 'After said assessment has been made upon such lots or parcels and the amount fixed on each, the same shall be recorded by the city clerk, and notice shall be given within ten days after the assessment by delivering to each owner of said assessed lots resident in said city a certified copy of such recorded assessment, or by leaving it at his last and usual place of abode, and by publishing the same three weeks successively in some newspaper published in said city, the first publication to be within said ten days, and the said clerk within ten days shall deposit in the post office of said city, postage paid, a certified copy of such assessment directed to each owner or proprietor residing out of said city, whose place of residence is known to said clerk, and the certificate of said clerk shall be sufficient

Section 32 of chapter 18, amended.

—assessment shall be recorded by city clerk.

—notice of assessment, how and when to be made.

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evidence of these facts, and in the registry of deeds shall be the evidence of title in allowing or assessing damages and improvements, so far as notice is concerned.'

Section 33 of chapter 18, amended.

Arbitration when amount of assessment is not satisfactory.

—board of arbitration, how nominated.

Section 2. Section thirty-three of said chapter eighteen is hereby amended by striking out the entire section and inserting in place thereof the following: 'Any person not satisfied with the amount for which he is assessed, may, within ten days after service of the notice provided for by the preceding section in either manner therein provided, by request in writing given to the city 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 city, two of whom selected by the applicant, with a third resident person selected by said two persons, shall fix the sum to be paid by him, and the report of such referees made to the clerk of said city, and recorded by him, shall be final and binding upon all parties. Said reference shall be had and their report made to said city clerk within thirty days from the time of hearing before the municipal officers as provided in section thirty-one.'

Section 34 of chapter 18, amended.

—assessments shall create a lien on land assessed, also on buildings thereon.

—may sell at public auction if assessment is not paid within three months.

—shall advertise and sell within one year.

—deed shall pass title.

—redemption may be within one year.

Section 3. Section thirty-four of said chapter eighteen is hereby amended by striking out the entire section and inserting in place thereof the following: 'All assessments made under the provisions of section thirty-one, shall create a lien upon each and 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 city shall make out a list of all such assessments, the amount of each, and the name of the person against whom the same is assessed, and he shall certify the list and deliver it to the treasurer of said city; if said assessments are not paid within three months from the date thereof, the treasurer shall sell, at public auction, such of said lots or parcels of land upon which such assessments remain unpaid, or so much thereof, as is necessary to pay such assessments and all costs and incidental charges; he shall advertise and sell the same within one year from the time said assessments are made, as real estate is advertised and sold for taxes under chapter six, and upon such sale, shall make, execute and deliver his deed to the purchaser, 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. 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 assigns the sum for which the same was sold, with interest thereon at the rate of twenty per cent a year, and the costs of re-conveyance.'

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Section 4. Section thirty-five of said chapter eighteen is hereby amended by striking out the entire section and inserting in place thereof the following: 'If said assessments are not paid, and said city does not proceed to collect said assessments, by a sale of the lots or parcels of land upon which such assessments are made, or do 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 city, in the name of said city, may maintain an action against the party 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.'

Section 35 of chapter 18, amended.

—action may be maintained by city.

—amount which may be recovered.

Approved March 26, 1903.

Chapter 168.

An Act to amend Chapter one hundred of the Public Laws of eighteen hundred and ninety-one, entitled "An Act to create a Forest Commission and for the protection of forests."

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

Section 1. Section one of chapter one hundred of the public laws of eighteen hundred and ninety-one is hereby amended by striking out the word "two" in the fourth line of said section and inserting in place thereof the word 'four' so that said section, as amended, shall read as follows:

Section 1 of chapter 100, public laws of 1891, amended.

'Section 1. The state land agent is hereby made forest commissioner of the state of Maine, and in addition to the salary now received by him as land agent, he shall receive as compensation for his services as forest commissioner four hundred dollars per annum, and his actual traveling expenses incurred in the performance of his duties, an account of which shall be audited by the governor and council.'

Land agent made forest commissioner.

—compensation.

Section 2. Section four of said chapter is hereby amended so that said section, as amended, shall read as follows:

Section 4, chapter 100, public laws of 1891, amended.

'Section 4. It shall be the duty of the forest commissioner to take measures for the prevention, control and extinguishment of forest fires in all plantations and unorganized townships, and to this end, he shall appoint such number of forest fire wardens to patrol the forests as may be necessary to carry out the provisions of this act, assigning to each warden the territory over and within which he shall have jurisdiction. Fire wardens, so

Commissioner shall take measures for control of forest fires.

—forest fire wardens.