

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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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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their dam at or near the head of Godfrey's Falls, and which may pass over their dam at, or near, the head of said Godfrey's Falls, to be ascertained by the woods scale or boom scale at the option of said corporation; and said corporation shall have a lien upon all logs and lumber which may pass over said dam at or near the head of said Godfrey's Falls until the full amount of toll of all the logs and lumber which may pass over said dam at or near the head of said Godfrey's Falls is paid; but logs of a particular mark shall only be holden to pay the toll of such mark; and if said toll is not paid within ten days after such logs and lumber shall arrive at the Penobscot boom or at their place of sale or manufacture said corporation may then, or at any time thereafter, sell at public auction in Bangor after ten days' notice in some newspaper printed in Bangor so much of said logs and lumber as may be sufficient to pay said toll and incidental charges.'

—Lien
established.

Section 2. This act shall take effect when approved.

Approved March 28, 1903.

Chapter 403.

An Enabling Act for the annexation of the city of South Portland to Portland.

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

Section 1. Upon the acceptance of this act as hereinafter provided, the city of South Portland shall be annexed to and be a part of the city of Portland, and the inhabitants and territory of the city of South Portland shall be subject to the charter and ordinances of the city of Portland, and to the acts amendatory thereof and supplemental thereto, except as herein otherwise provided.

Annexation
of South
Portland to
city of
Portland.

Section 2. The city of Portland as herein enlarged shall be divided into eleven wards, and until the city council shall have revised the ward lines in the manner provided by law, ward ten shall consist of that part of the city of South Portland, lying westerly of the following described line, namely: Beginning at the center of the draw in Portland bridge; thence along the center of Ocean street through City and Dyer squares to the Cape Elizabeth line. Ward eleven shall consist of that part of South Portland lying easterly of said line. Each of these wards so constituted shall have the same form of organization and the same representation in the city government and in the school

Ward
divisions.

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committee of Portland that the other wards in said city have at the time of the acceptance of this act, and warrants for the election of said officers shall be issued by the municipal officers of Portland, as provided hereafter, in due season for the municipal election first to be held in said city after the acceptance of this act.

Ward meetings, places of holding.

Section 3. The ward meetings of said ward ten shall be held in the basement of the Pleasantdale school house, and the meetings in said ward eleven shall be held at the South Portland hose house, until the city council shall otherwise provide.

Warrants for first meetings.

Section 4. The warrants for the first ward meetings in said wards ten and eleven shall be made returnable by the constable posting the same, to some voter in each of said wards, designated by the municipal officers of Portland, who shall call said ward meetings to order for the election by open ballot of a warden to preside at said meeting, and a ward clerk, and the warden and clerks so elected shall qualify and perform all the duties devolving upon the warden and ward clerk under the provisions of law. The necessary ballot and election clerks for wards ten and eleven shall be appointed according to law by the municipal officers of the city of Portland.

Voting lists for wards.

Section 5. From the lists of voters now registered in the several wards of South Portland, the board of registration of South Portland, upon the acceptance of this act, shall prepare two new lists, one to contain the names of all voters whose registered residence is within the limits of said ward ten, which list shall be the list of registered voters for said ward ten, and the other to contain the names of all voters whose registered residence is within the limits of said ward eleven, which list shall be the list of registered voters their records, to the board of registration of Portland at least twelve days prior to the municipal election next to be held after the acceptance of this act, and thereafter changes therein may be made as in the lists of registered voters in other Portland wards.

Property and obligations of South Portland, arrangements concerning.

Section 6. Upon the acceptance of this act, all the city property of South Portland together with all city moneys in the hands of the treasurer thereof, or under his control, becomes the property of the city of Portland, and the city of Portland shall assume all obligations of the city of South Portland then existing, and all indebtedness both temporary and bonded, and shall provide for the payment thereof according to the terms under which said indebtedness was contracted. Provided that the officials of said city of South Portland shall continue to manage and control the affairs in said city during the interval between the acceptance of this act and the inauguration of the

mayor and city council elected to succeed them, as hereinafter provided, and during said term said officials may expend the available funds of the city in the regular course of business.

Section 7. Until the inauguration of the mayor and city council first to be elected, as hereinbefore provided, the present municipal officers, public officials, school committee and police of South Portland, shall continue in office for the purpose of performing the duties required of them by law, and by the terms of this act; but upon said inauguration the terms of all of them shall end.

Tenure of present city government.

Section 8. All persons upon whom taxes have been legally assessed by the city of South Portland and the old town of South Portland, and who have not paid the same, shall be required to make payment thereof to the treasurer of the city of Portland. Unpaid sidewalk, drain and sewer assessments, legally assessed by the city of South Portland shall be collected in the manner provided by the South Portland charter and ordinances, and the city of Portland shall have the same rights to enforce payment of said taxes, and sidewalk, sewer and drain assessments, as the city of South Portland would have had but for the passage of this act.

Unpaid taxes to whom to be paid.

Section 9. All rights, contracts, claims, immunities, privileges and franchises which might be exercised by the city of South Portland may be exercised and enforced by the city of Portland as its successor; and all privileges, exemptions and immunities granted by the city of South Portland shall remain binding upon the city of Portland. The passage of this act shall not affect any right accruing or accrued, or any suit, prosecution or other legal proceedings pending at the time when it shall take effect by acceptance as herein provided for, and no penalty or forfeiture previously incurred shall be affected thereby.

Rights, franchises, etc., pass with annexation.

—Immunities, etc., remain upon Portland.

Section 10. Upon the day of the inauguration of the mayor and city council to be elected as hereinbefore provided, the control and superintendence of the present public schools of South Portland shall be vested in the school committee of Portland to the same extent and in the same manner as are other public schools of Portland, and the school facilities now furnished by the city of South Portland shall not be hereafter curtailed or abridged.

Schools.

Section 11. All official records and documents in the city of South Portland shall be transferred from the several departments to which they respectively belong to the corresponding department in the city of Portland, and the production, attestation or authentication of the same by the respective official custodian of the records of said several departments in the city of Portland

Records and documents.

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shall have the same effect in any legal proceedings as if produced, attested or authenticated by the custodian of the records of the department in said South Portland from which the same were severally transferred.

Municipal
court.

Section 12. The South Portland municipal court is hereby abolished, but for the purpose only of closing the business pending therein at the time of the approval of this act, the entire jurisdiction thereof, civil and criminal, shall be conferred upon the municipal court of the city of Portland, which court shall issue all executions or other process necessary to carry into effect any judgment, order or decree of said South Portland municipal court. All complaints, civil suits, recognizances, appeals in civil or criminal cases, and all other processes, civil or criminal, pending in said South Portland municipal court, shall be transferred forthwith to the municipal court for the city of Portland, to be entered on the docket thereof, and to be heard and disposed of as if originally entered in said municipal court for the city of Portland; and all writs, petitions, warrants and all processes whatever, returnable to said South Portland municipal court, shall be returnable to and be entered on the docket of said municipal court for the city of Portland as if originally entered therein. The judgments, decisions, orders and decrees of the supreme judicial court, at any law term, made in cases originating in said South Portland municipal court, shall be certified to the recorder of the municipal court for the city of Portland, to whose attestation of the same, or their contents, full faith shall be given.

Ward
meetings
for voting
acceptance
of this act.

Section 13. Ward meetings may be held at the usual place of meeting in said cities for the purpose of submitting the question of the acceptance of this act to the legal voters of said cities at any time within five years after the passage thereof, except in the months of September and November. At such meetings the polls shall be open from eight o'clock in the forenoon until five o'clock in the afternoon, and the vote shall be taken by written or printed ballots in answer to the question, "shall the act passed by the legislature in the year of our Lord one thousand nine hundred and three, entitled "An Enabling Act for the annexation of South Portland to Portland," be accepted?"

The regular ward officers shall preside at such meetings and use a check list to be prepared by the board of registration in the same manner as lists are prepared for municipal elections. The affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance.

—may be
submitted to
voters a
second time.

If, at any meeting so held, this act shall fail to be thus accepted, it may, at the expiration of one year from any previous meeting, be again submitted for acceptance, provided it

shall not be submitted more than three times in either city. Such meetings shall be called in each city upon the application of one hundred or more of the qualified voters of said cities, and the board of mayor and aldermen of said cities shall upon the application of said one hundred voters forthwith issue warrants for said meeting. The same proceedings shall be had respecting the sorting, counting, declaring and recording the returns of said votes as is provided for the election of mayors; and the board of mayor and aldermen of said cities shall within five days after said meeting, meet and compare the returns of the ward officers, if it appears that the majority of all the votes given in on said annexation in each city is in favor thereof, the mayors of said cities shall forthwith make proclamation of the fact and thereupon this act shall take effect and the city of South Portland shall thereafterwards be annexed to and become a part of the city of Portland.

Section 14. So much of this act as authorizes the submission of the question of its acceptance of the legal voters of the said cities shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of both of said cities as herein prescribed, in which case all acts and parts of acts inconsistent with this act are hereby repealed.

When act shall take effect.

Approved March 28, 1903.

Chapter 404.

An Act to incorporate the Piscataquis River Storage Company.

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

Section 1. William M. Currier, Frank H. Drummond, Charles C. Emerson, Henry Hudson, Henry Douglass, David R. Straw, Edward J. Mayo, Walter J. Mayo, Stephen O. Brown, Crowell C. Hall, their heirs, successors and assigns, are hereby created a body corporate under the name of the Piscataquis River Storage Company, for the purpose of making such improvements in Piscataquis river and its tributary waters as will enable them to store or hold water for the purpose of increasing and rendering more constant the power or energy of said Piscataquis river, and for that purpose may acquire existing dams by purchase or otherwise, or erect and maintain new dams at the outlets of any of the ponds or bogs or upon any of the streams tributary to said Piscataquis river, above the East Dover dam on said river, on lands which it may acquire, but in such

Corporators.

—corporate name.

—may acquire or erect dams.