

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1907.

CHAP. 416

Consent of
corporation,
etc.

Section 7. But nothing in this act contained shall be held to authorize this corporation to sell or distribute electricity to be used directly or indirectly for the purpose of electric lighting without the consent of the persons, corporation or corporations legally conducting or authorized to conduct the business of electric lighting within said city of South Portland or said town of Cape Elizabeth.

Section 8. The first meeting of said corporation may be called by written notice thereof, served upon each incorporator by copy of the same given in hand or sent by mail, postage prepaid, at least seven days prior to the day named therein for said meeting.

First meet-
ing, how
called.

Section 9. This act shall take effect when approved.

Approved March 26, 1907.

Chapter 416.

An Act to establish a Board of Education in the city of Augusta, and to provide for a uniform system of schools therein.

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

Section 1. A board of education is hereby created in the city of Augusta, to consist of nine persons, one from each of the eight wards of said city, elected as hereinafter provided, and the president of the trustees of the Cony Female Academy in said city, who shall be, ex-officio, a member of said board and entitled to participate in its deliberations and serve upon any committees of its own appointment, but who shall vote only in case of a tie.

Board of
education
created.

Section 2. On the first Monday of June, nineteen hundred and seven, at half past seven o'clock in the evening, the electors of the several wards in the city of Augusta, qualified to vote at municipal elections therein, and without regard to their political affiliations, shall meet in such place in the ward as the mayor and aldermen of said city may designate in their warrants, for the purpose of electing, in each ward, one member of the board of education. Said meeting shall be called by the mayor and aldermen by a warrant for each ward under their hands, stating the time, place and purposes of the meeting, true and attested copies whereof shall be posted by the city marshal or any constable of the said city at least seven days before the day of the meeting and in at least two public and conspicuous places in the ward. The marshal or said constable shall cause the original warrants, with a return of his doings thereon, to be delivered to

Election of
board of
education.—call of
meeting.

CHAP. 416

—city clerk shall publish notice of meeting.

—tenure.

the chairman of said respective ward meetings, on the date thereof, and the secretaries of said meetings, shall respectively make records thereof. The city clerk shall also cause a notice of such meeting to be published in at least two newspapers in the city of Augusta, representing if possible different political parties, between the time of issuing the warrants and the time appointed for said meetings. Said ward meetings shall be respectively organized by the choice of a chairman and a secretary by ballot or otherwise, and shall thereupon, by ballot or otherwise as may be determined at the meeting, proceed to the election of a member of said board of education, who shall be a resident of the ward where elected. The tenure of office of the members so elected shall be as follows: those from wards one, two and three, until the first Monday of June, nineteen hundred and eight; those from wards four, five and six, until the first Monday of June, nineteen hundred and nine; and those from wards seven and eight, until the first Monday of June, nineteen hundred and ten; and in each instance, until others are elected in their places. On each first Monday of June thereafter, at half-past seven o'clock in the evening, commencing with the year nineteen hundred and eight, one member of said board shall be chosen by each of those wards whose members' terms are about to expire, and the term of office shall be three years, and until others shall be elected in their places. Meetings for the purpose shall be called and conducted in the manner prescribed for the meetings of nineteen hundred and seven. In case of a vacancy, a member may be chosen by the ward in which the vacancy exists to fill the unexpired term, at a meeting specially called for the purpose by the mayor and aldermen, and conducted like other similar meetings.

Duties of board of education.

—shall elect chairman and appoint superintendent of schools.

—duty of superintendent.

Section 3. The board of education, elected as hereinbefore provided, shall perform all the duties and be invested with all the rights and powers of superintending school committees of towns, including the right to direct the expenditure of all school moneys. The board shall elect a chairman annually, and appoint some suitable person, not a member of the board, superintendent of schools, and may adopt such rules and regulations for the management of the schools and the conduct of the business of the board as are not inconsistent with the laws of the state. The superintendent shall be the secretary and executive agent of the board, which shall fix his salary, to be paid from the city treasury as salaries of teachers are paid, and may remove him and appoint a successor. The members of the board shall receive no compensation for their services as such. The members

elected by the several wards shall not be members of the city council.

Section 4. On the second Monday of May at half past seven o'clock in the evening, annually, commencing with the year nineteen hundred and eight, a general meeting of the citizens of said city, qualified to vote at municipal elections therein, and without regard to their political affiliations, shall be convened in the city hall of said city. Such meeting shall be called in the manner prescribed for calling ward meetings in section two of this act, except that there shall be but one original warrant, true and attested copies whereof shall be posted by the city marshal or any constable of said city at least seven days before the day of the meeting, and in at least two public and conspicuous places in each ward. The marshal or said constable shall deliver the original warrant, with a return of his doings thereon, to the moderator of said meeting when elected, and the secretary of the meeting shall make a record thereof. The chairman of the board, if present, or in his absence any member of the board, or if no such member is present any citizen qualified to vote at municipal elections in said city may call the meeting to order, and preside until the election of a moderator. The meeting shall immediately proceed, by ballot or otherwise, to the choice of a moderator and a secretary. The moderator shall preside with the power of moderators of town meetings, and together with the secretary shall be duly sworn by any justice of the peace of said city. A record of such oaths shall be made by the secretary. At such meeting the board of education shall submit a printed report, the edition whereof shall consist of not less than fifteen hundred copies, of the affairs and condition of the city schools for the year ending on the first day of April next preceding the meeting, together with an estimate of the amount needed for school purposes for the current year. The said electors present shall have power to raise by vote for the support of the public schools in said city, for the current year ending on the first day of April such sum, not less than the amount required by the general laws of the state, as they may deem necessary for that purpose. The secretary shall forthwith, or within the time prescribed by the meeting, certify the amount thereof to the assessors of said city, and it shall be included with, and assessed like other city taxes, and all the provisions of law relating to the assessment and collection of taxes shall be applicable to such tax. Said meeting shall also have the power of borrowing money to build schoolhouses, set forth in section eighty-one of chapter eleven of the revised statutes of eighteen hundred

Proceedings at annual meetings.

—citizens for the consideration of school matters.

CHAP. 416

and eighty-three, relating to school districts, and so far as applicable the provisions of sections eighty-one to eighty-four inclusive of chapter eleven of the revised statutes of eighteen hundred and eighty-three relative thereto shall be in force in said city.

Fifth sentence of section 4, city charter, amended.

Section 5. The fifth sentence of section four of the charter of said city is hereby amended by striking therefrom the words "superintending school committee," and the words "and except as herein otherwise directed," so that said sentence as amended, shall read as follows :

—certain officers shall not be members of city council.

'Except as otherwise provided by law, all officers shall be chosen and vacancies supplied for the current year, of whom the assessors, city marshal, chief engineer of the fire department, collector, overseer of the poor, street engineer, street commissioners, and treasurer, shall not be members of the city council.'

Special election for acceptance of this act.

Section 6. This act shall be submitted for acceptance to the qualified voters of said city of Augusta, at an election to be specially called for the purpose and held on the second Monday of May, in the year of our Lord one thousand nine hundred and seven, said election to be called, advertised, held and conducted as provided by law relating to municipal elections in said city.

—form of question to be submitted.

The question of the acceptance of the act shall be submitted to said electors in the following form: "Shall 'An Act to establish a board of education in the city of Augusta, and to provide for a uniform system of schools therein,' be accepted?" The city clerk shall prepare the ballots to be used at said election in such form that the elector may plainly indicate by a cross placed over the word 'yes,' or 'no,' his opinion upon said question. Should said question receive more affirmative than negative votes at said election, this act shall be deemed to have been accepted. The result of said election shall be declared by the municipal officers of said city, and duly certified by the city clerk to the secretary of state: A printed copy of the provisions of this act shall be posted at the time and places specified by law for posting notices of such election, and in at least two conspicuous places in each voting place during said election.

—city clerk shall prepare ballots.

Term of office of certain officers cease on acceptance of this act.

Section 7. In case this act is accepted, as provided in the preceding section, immediately upon the election of the members of the board of education at the ward meetings held on the first Monday of June, nineteen hundred and seven, the terms of office of all then existing members of the superintending school committee, directors, officers and agents of school districts, and of all other school committees, officials or agents in said city of Augusta, shall thereupon cease; and all school districts in said

city are thereupon abolished, their property, real and personal, vested in the city of Augusta, and their liabilities assumed by said city.

Section 8. Upon the acceptance of this act, as hereinbefore provided, chapter three hundred and forty-nine of the private and special laws of eighteen hundred and thirty-three, chapter eight of the private and special laws of eighteen hundred and forty-seven, chapter one hundred and ninety of the private and special laws of eighteen hundred and forty-eight, chapter two hundred and seventy-two of the private and special laws of eighteen hundred and forty-nine, chapter thirty-two of the private and special laws of eighteen hundred and fifty-three, chapter two hundred and seventy-six of the private and special laws of eighteen hundred and seventy-three and chapter seventy-six of the private and special laws of eighteen hundred and eighty-seven are hereby repealed; and all other acts or parts of acts, public or private, and all ordinances of the city of Augusta, inconsistent with the provisions of this act, upon such acceptance are hereby repealed, so far as relates to the city of Augusta.

Certain acts repealed on acceptance of this act.

Section 9. Except as otherwise herein provided, this act shall take effect when approved.

Approved March 26, 1907.

Chapter 417.

An Act to incorporate the Waldoboro Water Company.

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

Section 1. Moses W. Levensaler, John T. Gay, Moses R. Mathews, Elmer E. Jameson, O. D. Castner, John B. Stahl, John J. Cooney and George W. Walker, their associates, successors and assigns are hereby made a corporation by the name of the Waldoboro Water Company, for the purpose of supplying the village of Waldoboro in the county of Lincoln and the inhabitants of said Waldoboro with pure water for domestic, sanitary, public, commercial and municipal purposes and for the extinguishment of fires.

Corporators.

—corporate name.

—purposes.

Section 2. Said company for said purposes is authorized to take and use water from the Kaler pond, so called, in the western part of said town of Waldoboro, or from any other source of water supply in said town which may be necessary to furnish a sufficient supply for the same, and may take, retain, collect, store and distribute water at and from such sources of supply, and for the purposes of such supply and distribution, may survey for, locate, construct and maintain all suitable and con-

Authorized to take water from Kaler pond and other sources.

—may maintain reservoirs, etc.