

# 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

SEVENTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE

1909

---

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

---

AUGUSTA  
KENNEBEC JOURNAL PRINT  
1909

---

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fourth  
Legislature

1909

---

## CHAP. 33

—concurrent jurisdiction.

mitted therein as are cognizable by trial justices, and concurrent jurisdiction of all civil actions in the county of Cumberland wherein the debt or damages demanded do not exceed fifty dollars, except when the judge of said court is interested in any such action as party or attorney; and original jurisdiction concurrent with the superior court of the county of Cumberland in all civil actions wherein the debt or damages do not exceed fifty dollars, exclusive of costs, in which any party to the action or person summoned as trustee shall reside, or, if not an inhabitant of the state, shall be commorant or have a place of business in said city.'

Approved February 19, 1909.

---

### Chapter 33.

An Act to amend the charter of the city of South Portland.

*Be it enacted by the People of the State of Maine, as follows:*

Section 4, chapter 334, special laws, 1907, amended.

Section 1. Section four of chapter three hundred and thirty-four of the private and special laws of nineteen hundred and seven is amended by striking out the word "above" in the sixth line thereof, and substituting therefor the word 'following,' so that said section as amended, shall read as follows:

Expense of walks shall be estimated and assessed within one year.

'Section 4. The expense of said walks complete or of said curbs or of said paving, shall be estimated and assessed within one year, by the mayor and aldermen of said city on the several lots chargeable therewith and by them certified to the city treasurer, in the manner and with all rights to the parties interested, as provided in the following section and be enforced as therein provided, but said assessment shall at any time be corrected on due notice and certified anew by the mayor and aldermen aforesaid and no assessment shall be void by reason of error in the name of the owner or occupant of the lot assessed, provided that the lot assessed is so described that the same may be distinctly known.'

—assessment may be corrected.

Sections 5 and 6, repealed.

Section 2. Sections five and six of chapter three hundred and thirty-four of the private and special laws of nineteen hundred and seven are hereby repealed.

Section 7, chapter 334, special laws, 1907, amended.

Section 3. Section seven of chapter three hundred and thirty-four of the private and special laws of nineteen hundred and seven is amended by being numbered and known as section five, and said section is further amended by striking out therefrom the words "such sale to be conducted in like manner as sale for non-payment of taxes on land of resident owners and with a

similar right of redemption” and substituting therefor the following ‘such sale to be held on the first Monday in June, in the year next succeeding the year in which the assessment is laid, and to be otherwise subject to the provisions of law, relative to the sale of land of resident owners for non-payment of taxes, and with a similar right of redemption,’ so that said section as amended, shall read as follows :

‘Section 5. The city council, before requiring any such sidewalk or footway to be so constructed shall by a general ordinance assume a portion of said expense to an amount not less than one-half thereof to be paid by the city in money or materials, but no owner or proprietor shall be required to construct as aforesaid more than two hundred feet in length of a sidewalk or footway in any one street in front of any unimproved lots or parcels of land. All assessments on account of the sidewalks and charges on account of the same shall constitute a lien on the real estate so assessed for two years after they are laid. They shall be certified by the mayor and aldermen under their hands to the treasurer and collector of said city and his successors, with directions to collect the same according to the law and may, together with all incidental costs and expenses and interest thereon at six per cent from the date of demand for payment thereof, be levied by sale of the estate by him or them if the assessment is not paid within three months after a written demand of payment made by him or them either upon the persons assessed or upon any person occupying the estate, such sale to be held on the first Monday of June, in the year next succeeding the year in which the assessment is laid, and to be otherwise subject to the provisions of law, relative to the sale of land of resident owners for non-payment of taxes, and with a similar right of redemption. Any person who may deem himself aggrieved by any such assessment may appeal to the supreme court in the same manner as is provided for appeals for damages for laying out streets and ways, which court shall at the first term appoint three persons who may be inhabitants of said city to settle and assess the share to be charged to such appellant; they shall make a return of their doings to said court and their decision, if accepted, shall be final. And in case the assessment made by the mayor and aldermen shall not be reduced on such appeal, the city shall recover costs, but otherwise pay costs.’

City council shall assume portion of expense.

—assessments shall constitute lien.

—shall be certified by mayor and aldermen.

—persons aggrieved may appeal to court.

Section 4. Chapter three hundred and thirty-four of the private and special laws of nineteen hundred and seven is further amended by adding thereto a section to be known and numbered as section six, as follows :

Chapter 334, special laws, 1907, further amended.

## CHAP. 34

Proceedings  
when as-  
sessments  
are not  
paid.

'Section 6. If said assessments are not paid, and the city does not proceed to collect said assessments by sale of the lots or parcels of land upon which such assessments are made or does 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 the South Portland Municipal Court, provided the amount sued for be within the jurisdiction of said court, otherwise in any court competent to try the same, and in such action may recover the amount of such assessment, with twelve per cent interest on the same from the date of said assessment and costs. Such action shall not be abated or defeated by reason of having been commenced within the time in which the lien for such assessment could be enforced by sale of the real estate so assessed.'

Approved February 19, 1909.

### Chapter 34.

An Act to authorize the Artesian Water Company to issue bonds.

*Be it enacted by the People of the State of Maine*, as follows :

Section 1. The Artesian Water Company, a corporation existing under the laws of Maine, is hereby authorized and empowered to issue its bonds to the amount of fifty thousand dollars for the payment of or refunding of its indebtedness and for the further construction and improvement of its works and plant. Said bonds to run such time and bear interest at such a rate as it may deem expedient and necessary ; and it may secure the same by a mortgage or deed of trust upon the franchises, property or estate owned or to be hereafter acquired by said corporation ; but said mortgage shall not diminish the security of the bonds heretofore issued by said corporation remaining unpaid.

Approved February 19, 1909.

### Chapter 35.

An Act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Maine.

*Be it enacted by the People of the State of Maine*, as follows :

Section 1. The Grand Lodge of the Ancient Order of United Workmen of Maine, which includes members of the fraternal beneficiary association known as the Ancient Order of United

Company  
may issue  
bonds.

—time, and  
rate of  
interest.

—may  
mortgage  
property.

Declared to  
be a legal  
corporation.