

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

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

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

shall read as follows:

'Section 43. The towns uniting for the purpose of employing a superintendent of schools shall appropriate for his salary their proportion of the sum paid said superintendent; and the amount to be paid by each town shall be determined by dividing the entire sum expended for superintendence among the towns comprising the union in the proportion of the service performed in each town.'

CHAP. 146

Salary of
supt., how
paid.

Approved March 31, 1913.

Chapter 146.

An Act to Amend Section Twelve of Chapter Four of the Revised Statutes, as Amended, Relating to the Choice of Town Officers.

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

Section twelve of chapter four of the revised statutes, as amended by chapter one hundred seventy of the public laws of nineteen hundred five, is hereby further amended by adding thereto the following: 'And in towns of over four thousand inhabitants the candidates receiving the greatest number of votes for any of the above mentioned offices shall be deemed elected to such office,' so that said section as amended shall read as follows:

Section 12
of chap. 4,
R. S., as
amended by
chap. 170 of
P. L. of
1905, fur-
ther
amended.

'Section 12. Annual town meetings shall be held in March, and the voters shall then choose, by a major vote, a clerk, three, five or seven inhabitants of the town to be selectmen and overseers of the poor, when other overseers are not chosen, three or more assessors, two or more fence viewers, treasurer, surveyors of lumber, sealers of leather, measurers of wood and bark, constables, collectors of taxes and other usual town officers; and if one-third of the voters present are in favor thereof, they shall choose, by a major vote, one auditor of accounts, all of whom shall be sworn. Treasurers and collectors of towns shall not be selectmen or assessors, until they have completed their duties as treasurers and collectors and had a final settlement with the town. Provided, however, any town electing three selectmen, three overseers of the poor and three assessors, if they shall vote so to do, may elect one member of each of the above named boards for one year, one for two years, and one for three years, and at each annual meeting thereafter one member of each of the said boards shall be elected for a term of three years; towns electing more than three selectmen, three overseers of the poor and three assessors, may by vote determine how many of each of said boards shall be elected annually

Annual town
meetings,
when held.
—officers to
be chosen.

—one se-
lectman, one
assessor and
one overseer
of poor, may
be elected if
town so
votes.

CHAP. 147

—greatest number of votes shall elect in towns of over 4000 inhabitants.

and the tenure of their offices. The treasurer and collector of taxes of cities and towns, may be one and the same person. And in towns of over four thousand inhabitants the candidates receiving the greatest number of votes for any of the above mentioned offices shall be deemed elected to such office.'

Approved March 31, 1913.

Chapter 147.

An Act for the Abolishment of the Grade Crossings of Railroads.

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

Selectmen may petition for a hearing. —allegations.

Section 1. The selectmen of a town in which a public way crosses or is crossed by a railroad, may file a petition in writing with the board of railroad commissioners alleging that public safety requires an abolishment of or an alteration in such crossing, or its approaches; or a change in the method of crossing a public way; or the closing of a crossing and the substitution of another therefor, not at grade; or the removal of obstructions to the sight at such crossing, and praying that the same may be ordered; whereupon said commissioners shall appoint a time and place for a hearing thereon after notice of not less than ten days to the petitioners, the corporation, the municipality in which such crossing is situated, the owners or occupants of the land adjoining such crossing, or adjoining that part of the way to be changed in grade, and to the attorney general of the state, whose duty it shall be by himself or through the county attorney of the county wherein the crossing is located, to represent the interests of the state at such hearing. And after such notice and hearing said commissioners shall determine what abolishment, alteration, change or removal, if any shall be made for public safety and by whom such abolishment, alteration, change or removal shall be made. And to facilitate such abolishments, alterations, changes or removals, highways and other ways may be raised or lowered or the courses of the same may be altered to permit a railroad to pass at the side thereof. For the aforesaid purposes land may be taken and damages awarded as provided for laying out highways and other ways. The commissioners shall determine and fix the damages sustained by any person whose land is taken and the special damages which the owner of land adjoining the public way may sustain by reason of any change in the grade of such way. Said commissioners shall apportion such expenses and damages between the state, the town in which the crossing is located, and the corporation owning or operating the railroad

—railroad com'rs. shall appoint time and place for hearing.

—attorney general shall represent interests of the state.

—duties of railroad commissioners.

—land may be taken and damages awarded.

—expenses and damages, by whom paid.