

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
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

Chapter 164.

CHAP. 164

An Act for the Better Protection of Herring and Herring Fisheries in the Waters of the St. Croix River and Passamaquoddy Bay in the County of Washington.

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

Section 1. No person shall put, or allow the same to be done by any one in his employ, into the waters of the St. Croix river or Passamaquoddy bay above a point known as Frost's ledge at Gleason Cove in the county of Washington, any fish or fish waste produced in the manufacture of sardines or deposit the same along the shores of said waters in such manner that it shall fall or be washed into said waters, under a penalty of not less than twenty-five and not more than fifty dollars.

Putting fish waste into St. Croix river, etc., forbidden.

—depositing fish waste on shores forbidden.

Section 2. The term fish waste as used in this act shall apply only to heads and other broken and unused parts of fish, cooked and uncooked, produced in the cutting and packing rooms of sardine factories, and shall not apply to fish pickle or other liquids necessary to the preservation of fish or to the cleansing of such sardine factories.

Term fish waste defined.

Section 3. Trial justices shall have jurisdiction over offenses committed under this act.

Trial justices shall have jurisdiction.

Approved March 25, 1913.

Chapter 165.

An Act to Authorize the Town of Sanford to Acquire, Own, Maintain and Operate a Gas Plant.

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

Section 1. The town of Sanford is hereby authorized and empowered to acquire, own, maintain and operate a gas plant, and for such purpose said town is vested with the power to raise money, as hereinafter provided, for the purchase or lease of lands, buildings, machinery and personal property necessary for properly equipping, operating and maintaining said gas plant.

Town of Sanford authorized to own and operate a gas plant.

Section 2. Said town of Sanford is also hereby authorized and empowered to use the gas, by it manufactured and generated, to light its streets, roads, public squares, and all buildings or parts of buildings owned, used or occupied by it; and said town is further authorized to sell, distribute and furnish gas for lighting, heating, manufacturing, and mechanical purposes to individuals and corporations within the limits of said town of Sanford.

Town of Sanford authorized to generate, use and sell gas.

Section 3. For the purposes of establishing, operating, and maintaining said gas plant, the said town of Sanford is hereby

May take and hold real and personal property.

CHAP. 165

—may construct and operate lines of pipe.

Board of selectmen may purchase land.

—may lay pipes across land of any person.

—may take and hold land.

—shall file notice of said taking.

—damages, how assessed.

—right of appeal.

Town may raise money or issue bonds.

authorized and empowered to take, lease, purchase, and hold all real estate and personal property, necessary or convenient; and may construct, lay, maintain, and operate lines of pipe for the transmission of gas underground, over, under and along any and all streets, roads, or ways within the limits of said town of Sanford and for the purposes of laying its pipes and distributing gas, said town shall have authority to take such rights in real estate across private land as may be necessary.

Section 4. The board of selectmen of said Sanford are hereby authorized and empowered, on behalf of said town, to purchase any land together with all rights, privileges and easements appurtenant thereto, or to lay pipes across the land of any person or corporation, necessary in carrying out the purposes of this act; and if the said board of selectmen are unable to purchase from the owners thereof any such land or easement in such land as they deem necessary to have in carrying out the purposes of this act or cannot agree with the said owners upon the price to be paid for such land or the easement therein; then the said town of Sanford, by its board of selectmen, are hereby authorized and empowered to enter upon, take and hold said land or easement therein; and within thirty days after entering upon and determining the quantity of land to be taken and held and the boundaries thereof, said selectmen shall file in the registry of deeds for the county of York, notice of said taking, together with plans and descriptions of said land, with the purposes for which it is taken, signed by the aforesaid selectmen, and after filing said plan, description and purposes, may enter upon, take and hold the land or easements in said land included in said description for the purposes herein designated, and may use any portion of the land so taken and held for the purposes mentioned and contemplated in this act, the damages therefor to be assessed by the county commissioners of York county upon application therefor, by either the owners of said property so taken or by the selectmen of said Sanford, said application to be made within six months after the filing of said notice, plan and description before mentioned. Such damages are to be assessed in the same manner and under the same restrictions, conditions, limitations and rights of appeal, as are by law prescribed in the case of damages for the laying out of highways, so far as such law is consistent with the provisions of this act.

Section 5. Said town of Sanford for the purpose of carrying into full effect the provisions of this act in the establishing, constructing, furnishing, equipping and fully maintaining said gas plant, may at its annual town meeting or at any legal meeting called for that purpose, raise money, and issue bonds, in

such denominations, and on such time and rate of interest as may be determined at such meeting to an amount necessary for said purpose, which taken in connection with any other indebtedness of said town will not exceed five per centum of the last regular valuation thereof. Said bonds shall be signed by the selectmen and treasurer of said town of Sanford.

Section 6. The building, equipping, care and management of said gas plant shall be under the control of the selectmen; or if the legal voters of said town of Sanford at its annual town meeting or at any meeting legally called for that purpose, so vote, said duties shall be placed in the hands of a commission, the members of which shall be chosen in town meeting as other municipal officers are chosen, and shall be known as "Commissioners of Public Service." If such commission is chosen it shall then exercise the powers and duties hereinbefore given to the board of selectmen for equipping, maintaining and operating said gas plant. Said commission shall consist of three members, who shall be legal voters of said town of Sanford, one chosen for one year, one chosen for two years, and one chosen for three years and after the first year one shall be chosen each year for the term of three years, and in case a vacancy occurs in such commission the selectmen may appoint a member to act until the next annual town meeting.

Management of gas plant under control of selectmen.

—legal voters may place management in hands of a commission.

—powers of commission.

—commission shall consist of three persons.

Approved March 25, 1913.

Chapter 166.

An Act to Authorize the Appointment of the Portland High School Commission.

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

The city council of the city of Portland is hereby authorized to appoint a commission consisting of three citizens of Portland, of whom the present mayor shall be one, to whose supervision and execution shall be committed the designs, details, requirements and erection of either a new high school building, or an addition to the present high school building, as the city council shall order and direct. Each member of said commission shall serve without pay, and the two members, other than the mayor, shall be elected by the city council upon nomination by the mayor to serve until said new building, or addition shall be completed; and any vacancies arising from resignation or otherwise shall be filled in same manner. Any succeeding mayor shall also be ex-officio a member of said commission.

Portland High School Commission authorized.

—members shall serve without pay.