

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

THE LEWISTON JOURNAL CO.
LEWISTON, MAINE
1917

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

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legislature. The Farm Lands Loan Commissioners are hereby authorized and directed to pay to plantations all accrued interest due such plantations so far as may be possible under existing provisions of law and so much of said fund as may be necessary to pay such interest is hereby appropriated for said purpose. They are also authorized and directed to ascertain the true standing of the permanent school fund and of the Passamaquoddy Indian trust fund and shall investigate the feasibility of having set aside said two last named funds, as well as the Penobscot Indian trust fund, for investment in the same manner as is herein contemplated relative to the reserved land fund, and shall report their recommendations upon the same to the next session of the legislature.

Sec. 12. Effective January 1st, 1918. This act shall take effect on January first, one thousand nine hundred and eighteen.

Approved April 7, 1917.

Chapter 304.

An Act to Amend Chapter Three Hundred Nineteen of the Public Laws of Nineteen Hundred and Fifteen Entitled "An Act to Provide for State and County Aid in the Construction of Highway Bridges."

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

Sec. 1. P. L. 1915, c. 319, relating to state and county aid in construction of highway bridges; apportionment of construction, amended. Section one, of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen, is hereby amended as follows:

By inserting after the word "city" in the second line of said section the words 'or unorganized township' and after the word "town" in the fifth line the words 'city, or unorganized township' and after the word "town" in the sixth line the words 'city or unorganized township' and after the word "town" in the seventh line the words 'city or unorganized township' and after the word "town" in the eighth line the words 'city or unorganized township', so that said section as amended shall read as follows:

'Sec. 1. Unorganized townships included. When public convenience and necessity require the building or rebuilding of any bridge in any town or city or unorganized township, said bridge being located on any main thoroughfare, and the cost of said construction, together with all other moneys raised for the construction and repair of ways, highways and bridges in said town, city or unorganized township makes a tax rate in excess of five mills on the valuation of the town, city or unorganized township last made by the board of state assessors, the cost of the construction of said bridge shall be borne as follows: Fifty per centum by the town, city or unorganized township, thirty per centum by the county in which said town, city or unorganized township is located and twenty per centum by the state.'

Sec. 2. P. L., c. 319, § 2, relating to petition, plans, etc., amended. Section two of said chapter three hundred nineteen is hereby amended by adding at the end of the said section the following paragraphs:

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'When the county commissioners of any county deem that any bridge on any main thoroughfare in any unorganized township in said county, must be built or rebuilt, and in their judgment the expense of the construction will entitle the owners thereof to state and county aid as provided in section one of this act, they shall petition the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said county commissioners and state highway commission shall constitute a board to determine the necessity of building or rebuilding said bridge, also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as they shall see fit.

When the state highway commission shall deem that any bridge on any state or state aid highway must be built or rebuilt and, in their judgment, the expense of the construction will entitle the town, or owners of the unorganized township, to state and county aid, as provided in section one of this act they shall notify the municipal officers of the town or towns, or the county commissioners having jurisdiction of the roads in any unorganized township, in which said bridge is located, and the county commissioners of the county or counties in which said bridge is located, to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge and the state highway commission shall make necessary surveys and plans of said bridge for the use of said board. The decision of the board or a majority thereof, as provided for in this section is to be final and conclusive,' so that said section as amended shall read as follows :

'Sec. 2. Proceedings; instituted by municipal officers in towns; county commissioners in unorganized townships; highway commission on state or state aid highways. When the municipal officers of any town deem that any bridge on any main thoroughfare must be built or rebuilt and in their judgment the expense of the construction will entitle the municipality to state and county aid as provided in section one of this act, they shall petition the commissioners of the county or counties in which said bridge is, or may be built or rebuilt and the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said municipal officers together with the county commissioners and the state highway commission, shall constitute a board to determine the necessity of building or rebuilding said bridge, also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as it shall see fit.

When the county commissioners of any county deem that any bridge on any main thoroughfare in any unorganized township in said county, must be

built or rebuilt, and in their judgment the expense of the construction will entitle the owners thereof to state and county aid as provided in section one of this act, they shall petition the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said county commissioners and state highway commission shall constitute a board to determine the necessity of building or rebuilding said bridge also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as it shall see fit.

When the state highway commission shall deem that any bridge on any state or state aid highway must be built or rebuilt and, in its judgment, the expense of the construction will entitle the town, or owners of the unorganized township, to state and county aid, as provided in section one of this act it shall notify the municipal officers of the town or towns, or the county commissioners having jurisdiction of the roads in any unorganized township, in which said bridge is located, and the county commissioners of the county or counties in which said bridge is located, to meet with it for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge and the state highway commission shall make necessary surveys and plans of said bridge for the use of said board. The decision of the board or a majority thereof, as provided for in this section is to be final and conclusive.'

Sec. 3. P. L., 1915, c. 319, § 3, relating to approval of plans, contracts, cost of construction. Section three, of said chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, is amended by inserting at the end of the first paragraph of said section the following paragraph:

'The county commissioners of any county where a bridge is to be built or rebuilt in any unorganized township are authorized and required to assess upon said township such sums as may be required to build or rebuild said bridge according to the last state valuation, the whole expense thereof shall be added to their next assessment on said township for repairs authorized by section sixty of chapter ten of the revised statutes which assessment shall create a lien upon said township for the whole amount thereof as effectually as is now provided in relation to repairs on such county road. That portion of said assessment which is for building or repairing said bridge aforesaid, shall be set down in the assessment in distinct items in a separate column and shall be enforced as is provided in section sixty-one of chapter ten of the revised statutes', so that said section, as amended, shall read as follows:

'Sec. 3. County commisisoners to levy assesement upon unorganized townships; payment to be enforced under R. S. c. 10, § 61. If the board shall decide that public convenience and necessity require the building or rebuilding of the bridge, it shall be the duty of the state highway commission to prepare plans, specifications and estimates of the cost of said construction and at a subsequent meeting of the board submit the same for approval. Up-

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on approval of said plans and specifications by a majority of the board, the state highway commission shall proceed to let contracts for all work called for by said plans and specifications as soon as the town or towns and the county or counties interested shall have paid into the state treasury their proportional shares of the estimated cost of the construction. In case any county or town unreasonably neglects or refuses to pay into the state treasury its proportional part of the estimated cost of construction which may be due and payable under the provisions of this act, then the state treasurer may out of any funds in the state treasury due said county or town pay such proportional part and deduct the amount so paid from any such sum in the state treasury due said county or town.

The county commissioners of any county where a bridge is to be built or rebuilt in any unorganized township are authorized and required to assess upon said township such sums as may be required to build or rebuild said bridge according to the last state valuation, the whole expense thereof shall be added to their next assessment on said township for repairs authorized by section sixty of chapter ten of the revised statutes which assessment shall create a lien upon said township for the whole amount thereof as effectually as is now provided in relation to repairs on such county road. That portion of said assessment which is for building or repairing said bridge aforesaid, shall be set down in the assessment in distinct items in a separate column and shall be enforced as is provided in section sixty-one of chapter ten of the revised statutes.

All counties and all towns are hereby authorized and required to raise by taxation or otherwise such reasonable sums as may be necessary to carry out the provisions of this act.'

Approved April 7, 1917.

Chapter 305.

An Act to Permit Savings Banks to Invest in Certain Railroad Bonds.

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

Sec. 1. R. S., c. 52, § 27, par. b, sub-section III, relating to the investment by savings banks in railroad bonds, amended. Paragraph b, sub-section third, section twenty-seven, of chapter fifty-two, of the revised statutes is hereby amended by adding thereto the following words: 'and in the underlying mortgage bonds other than first mortgage bonds and the consolidated mortgage bonds and refunding mortgage bonds of any completed railroads organized under the laws of any state of the United States and located within the United States, and in the first mortgage bonds of any completed railroads of any other state of the United States; provided, however, that such underlying, consolidated and refunding mortgage bonds and such first mortgage bonds of railroads other than those of said named states shall be secured by liens upon a completed railroad of standard gauge and of not less than one hundred miles in length exclusive of sidings and shall be of any of the several classes established by paragraph "c",' so that said paragraph shall read as follows: