

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.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

Chapter 128.

An Act to Extend the Charter of the Livermore and Augusta Railway Company.

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

Sec. 1. Charter extended two years. The rights, powers and privileges of the Livermore and Augusta Railway Company, which were granted by chapter one hundred eighty-nine of the private and special laws of nineteen hundred thirteen, are hereby extended for two years additional; and the persons named in said act and their associates and successors shall have the rights, powers and privileges that were granted to them by said act, to be exercised by them for the same purposes as specified in said act.

Sec. 2. Existing statutes continued in force. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 29, 1917.

Chapter 129.

An Act to Amend the Charter of the York Beach Village Corporation.

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

P. & S. L., 1901, c. 455, amended. Sections one, two, three, four, five, six, seven, eleven, twelve, thirteen, fourteen and sixteen of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one are hereby amended, so that said sections as amended shall read as follows:

‘Sec. 1. Boundaries altered. The territory in the town of York embraced within the following boundaries, namely: Beginning at high water mark on the shore of the Atlantic ocean at the easterly extremity of the corporate limits of the York Harbor Village Corporation and running by the easterly limits of said York Harbor Village Corporation in a northwesterly direction across the beach road locally known as York street to the northerly side of Long Sands road so-called; thence continuing in a northwesterly direction by and along the northerly side line of said Long Sands road to the northwesterly side line of land of the York Harbor and Beach Railroad Company, being the northerly bounds of said York Harbor Village Corporation territory; thence from said last named boundary, turning and running northeasterly by and along the northwesterly side line of said railroad land to the southwesterly side line of the road leading from Long Beach to the New road so called, and known as the Webber road; thence running northwesterly by and along the southerly side of said Webber road to and across the aforementioned New road to the northwesterly side line of said road; from thence running northeasterly by and along the northwest-

erly side line of said New road to the division line between the land of the heirs of Elijah Blaisdell and land of David Donnell; thence by said heirs and said Donnell's land northwesterly at right angles with said New road five hundred feet to a point on said line; thence turning and running northeasterly parallel with the aforementioned New road and five hundred feet distant therefrom to the intersection with the line forming the present bounds or limits of the present York Beach Village Corporation; thence north about twenty-three degrees east, to the intersection of the northwesterly side line of the Atlantic Shore Railway Company; thence by said boundary line of land of said railway company northerly to the center of the channel of Cape Neddick river; thence following said channel to the Atlantic ocean; thence southerly, easterly and westerly, as the shore line runs, to a point at low water mark southeast of the point of beginning; thence from said point at low water mark to the point of beginning; together with the inhabitants thereof, is hereby created a body politic and corporate by the name of the York Beach Village Corporation, with all the rights and privileges granted by the laws of the state to corporations.'

'Sec. 2. Authorized to designate uses to which money received from town of York shall be put; purposes enlarged. Said corporation is hereby authorized and vested with the power at any legal meeting called for that purpose, to apportion and designate the uses to which the money received from the town of York under the provisions of section four of the charter as now amended shall be put, the purposes and uses for said money being among other things as follows: To create and maintain a fire department with all the necessary engines, equipments, appliances and apparatus for the prevention and extinguishment of fires; to acquire and maintain property, buildings, and structures necessary for the use and preservation of its said fire department property; to construct a building to be used as village hall and to contain therein such offices and apartments, including lock-ups, as may be convenient for the administration of corporate rights and duties herein granted and to acquire land necessary and convenient therefor, or to lease or otherwise acquire said property, or portions thereof, for said purposes; to build, maintain and repair roads, streets, ways and sidewalks; to light and sprinkle its streets; to set out and care for shade trees; to improve and care for public grounds as hereinafter provided; to build and maintain such sewers and drains as the corporation may vote to build in addition to those already built and to be built and constructed by the town of York; to maintain a night watch or police force; to provide means for the collection and removal of the offal and garbage; to protect and care for the beaches; to care for and beautify that portion of the corporate territory of York Beach which may hereinafter be reserved and dedicated to public uses to be enjoyed in common by all the inhabitants of said York Beach Village Corporation and to that end to build roads and walks upon and to said public lands; to build, repair and maintain public walks, wharves and landings; to establish a sanitary and health department; to provide and establish a department with powers to govern and regulate building constructions at York Beach in order to prevent the erection of dangerous and unsightly buildings and structures; to advertise the beauties, advantages and attractions of York Beach as a summer resort; and to defray the expenses of all

CHAP. 129

other necessary measures for the improvement of said village corporation, for the better security of life and property, and for the promotion of good order and quiet within the corporate limits; said corporation shall have the right and authority to receive, hold and manage, devise, bequests and gifts for any and all of the purposes authorized by this charter, and for the purposes herein named, and said York Beach Village Corporation, by its proper agents, may make contracts necessary and convenient for the exercise of its corporate powers.'

P. & S. L., 1901, c. 455, § 3, amended. Section three of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, entitled "An Act to Incorporate the York Beach Village Corporation" is hereby amended, so that said section will read as follows:

'Sec. 3. Rights, powers and privileges. Said corporation, within its territorial limits shall have, and is hereby granted all the rights, powers and privileges which towns, or their municipal officers, have under the provisions of the revised statutes and public laws relating to drains and sewers, and all powers, duties and privileges granted by said statutes and public laws of the state of Maine to selectmen, clerks, treasurers and constables of towns are hereby respectively granted to and vested in the assessors, clerk and treasurer and constables and police officers of said corporation, and all powers conferred and duties, penalties, and obligations imposed by said statutes and by public laws upon towns and upon persons, for the benefit and protection of towns and persons, and of their drains, sewers and property, shall be possessed by, and imposed upon said corporation, and persons and property therein, for the benefit and protection of said corporation, persons and property, and the drains and sewers thereof. Provided however, that the assessors of said corporation shall not have power to construct drains or sewers at the expense of the corporation without a vote of the corporation, at some legal meeting called therefor, authorizing such construction.'

'Sec. 4. Apportionment by town of York; how computed and how expended. On or before the first day of July annually, beginning in nineteen hundred seventeen, the town of York shall appropriate and pay over to the York Beach Village Corporation a sum of money computed as follows: From the annual appropriation raised by the town taxation on the estates and polls within said York Beach Village Corporation for the preceding year shall be deducted said corporation's proportional part, based on valuation and poll tax assessment of the whole annual town levy for said preceding year for state, county and school taxes, salary of the town officers, reduction of town debt, interest on town charges, appropriations for roads, poor, incidentals, and any and all other town charges, and fifty-five per centum of the sum thus determined, after deducting the corporation's proportion of town obligations for hydrants and street lights, shall be said sum to be annually paid over to said corporation as herein provided. Said sum shall be expended by said corporation for its corporate purposes and duties, and payment thereof to the corporation shall relieve said town of all town charges within said corporation except for street lighting, hydrant service, public schools, public health, maintenance of poor, and such new construc-

tion of drains and sewers as the town may vote to build, and repair of town sewers. All the authority and duties of the selectmen or road commissioner within said corporation shall be exercised by said assessors; or they may appoint an agent to perform the duties of road commissioner.'

'Sec. 5. Corporate affairs, how managed; rights and powers of officers.

Said corporation and the overseers thereof, unless its doings are repugnant to the laws of this state, or to its charter shall have the same powers and duties in the management of its corporate affairs that towns and selectmen thereof now have, to be exercised and performed under the same conditions, limitations and liabilities, and in the same manner that they are now exercised and performed by towns and their selectmen, including therein its mode of calling and manner of conducting its corporation meeting and election of officers; the statute rights to make by-laws and ordinances; the right of eminent domain; the statute powers to lay out and alter streets and ways within its territory; the statute powers to issue licenses to run places for public exhibitions and amusement; the right to determine in what manner and upon what terms abutters upon the lines of its sewers and drains may enter or must enter and connect with it, and may establish rules and regulations and a schedule of rates which may be collected at regular periods; and all other rights, privileges, duties and obligations not incompatible herewith.'

'Sec. 6. May issue bonds; may negotiate temporary loan. Said corporation at any legal meeting called for that purpose, may by vote of not less than three-fourths of all voters present, vote to issue its bonds or notes to obtain money to carry out each, any or all of the objects and purposes set forth in sections two and three of this act as now amended. Said bonds or notes shall be signed by the assessor and treasurer, and shall be on such time and bear such rate of interest as the corporation may deem expedient, subject however to the limitations to towns under the constitution of Maine limiting municipal indebtedness. And in addition to the above powers of raising money said corporation may, by a majority vote of the voters present, from time to time borrow money as a temporary loan in anticipation of the receipt of its money from the town of York under section four as now amended.'

'Sec. 7. Officers, how chosen, qualification, tenure, compensation, etc.;

by-laws. The officers of said corporation shall be a clerk, treasurer, three assessors, three fire wardens, and such officers as the by-laws of said corporation may require. Each officer shall be a resident and reside during his term of office within the limits of said corporation. The clerk, treasurer and assessors shall be chosen by ballot at the annual meeting of said corporation, or at a special meeting called for the purpose, and said other officers of said corporation shall be residents within the limits of said corporation, as aforesaid, and shall be selected by ballot, or other method agreed upon by a vote of the corporation. Said clerk, treasurer, and assessors shall hold office for one year, or until the next annual meeting, and thereafter until their successors are chosen and qualified, and shall severally have all the powers and authority within the limits of said corporation that similar officers

CHAP. 129

chosen by towns now, or may have. The assessors may appoint and remove police officers and such other officers as the by-laws allow, and whose selection is not otherwise provided for herein.

Said corporation at any legal meeting may adopt a code of by-laws not repugnant to the laws of the state, nor its charter, for the efficient management of its affairs. All officers aforesaid shall be sworn before the clerk or a justice of the peace for the faithful performance of their duties. The treasurer shall give bond with such sureties as the assessors of the corporation may approve in a sum not less than double the amount of money paid to said corporation by said town as set forth in section four of this act, to the inhabitants of the corporation for the faithful performance of his duties, and said bond shall be approved in writing by the assessors and thereafter deposited with and retained by the clerk of the corporation. The compensation of all officers herein provided for shall be fixed by vote of the corporation.'

'Sec. 11. Eligibility of officers. Any person having his legal residence within the territory aforesaid, qualified to vote for governor, senators and representatives, may be elected or appointed to any office in said corporation, but shall cease to hold said office whenever he ceases to be such legal voter.'

'Sec. 12. Voters, how determined; check list to be used if demanded. Every person having his legal residence within the territory aforesaid, qualified to vote for governor, senator and representatives, shall be a legal voter at any meeting of the corporation, and shall also be qualified to vote upon the acceptance of this charter and the amendments thereof, also every person, male or female, of lawful age, who owns and possesses real estate within the limits of said corporation, and has owned and possessed the same for at least six months prior to any election or meeting of said corporation, whether resident or non-resident owner of real estate, shall be a legal voter at any meeting of the corporation and shall be qualified to vote upon the acceptance of the charter and upon the amendments thereof, if they are present. The assessors of the corporation shall determine who are legal voters at any meeting and shall prepare a list of said voters at least twenty-four hours before every meeting, which said list they may amend or correct at any time before said meeting or during its progress. The vote for the election of officers of the corporation and upon any proposition at any meeting shall be taken and checked by this list upon the demand of five legal voters.'

'Sec. 13. Amended charter subject to approval of voters; how and when meeting shall be called and how conducted. This charter as now amended and enlarged, may be accepted at any time within two years from its approval by the governor, except that not more than two meetings for such acceptance shall be held in any one calendar year, and the first meeting for that purpose shall be held on the second Monday in September, nineteen hundred seventeen, Frank E. Parsons, Frank H. Ellis, J. Byron Paul and Charles L. Worthen, or any one of them, are hereby authorized to call any meeting of said corporation to act on the acceptance of this charter and to notify all persons qualified to vote at said meeting to assemble at some suit-

CHAP. 129

able time and place within the limits of said corporation, by posting up notices thereof in two public and conspicuous places within said limits seven days at least before the time of said meeting; and any one of said persons above named is authorized to preside at said meeting until after its organization and until after a clerk and moderator of the meeting shall have been chosen by ballot and sworn. At all meetings of said corporation a moderator shall be chosen in the manner and with the same powers as in town meetings.'

'Sec. 14. **Subsequent meetings, how called; special meetings; date of annual meeting.** Said assessors shall call all subsequent meetings of the corporation by posting up notices thereof, in two public and conspicuous places within the limits of said corporation, signed by them and stating the time and place of each meeting, seven days at least before the time appointed for the meeting. All notices shall state in distinct article the business to be acted upon at the meeting, and no other business shall be then and there acted upon. When ten or more voters in writing request the assessors to insert a particular article in any notice they shall insert it in their next notice issued, or shall call a special meeting for the consideration thereof to be held within thirty days after the filing of said written request. The annual meeting for the election of officers, excepting perhaps the first meeting for the election of officers, shall be held on the second Monday of September in each year. In case the assessors unreasonably neglect or refuse to call a meeting, any justice of the peace may call a meeting of the corporation on petition of ten legal voters, by posting up notices in the manner herein provided.'

'Sec. 16. **Inconsistent provisions repealed upon acceptance of act; terms of former officials terminated.** This act and amended charter when accepted by a majority of the voters of said corporation as aforesaid, then shall take and have complete effect in all its parts; and all parts of the original charter and act of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, entitled "An Act to Incorporate the York Beach Village Corporation," amended by chapter three hundred and five of the private and special laws of nineteen hundred and five, inconsistent with and repugnant to this charter as now amended, are hereby repealed; and the term of office of all elective and appointed officers of the York Beach Village Corporation now holding office under the provisions of said chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, shall end, expire and terminate when this amended charter is accepted, as aforesaid, and the several officers of the corporation are elected, as provided by the provisions of this amended charter. Whenever sum or sums of money may be appropriated by the town of York and may have been used and expended within the limits of said corporation for town purposes outside of and in other than those specially imposed upon said town by section four of this act, and whatever sum or sums of money the town of York may have paid over to said corporation during the year in which this amended charter is accepted, and before it is accepted shall be deducted from the amount payable to said corporation for said year in which this charter is accepted as provided in section four of this charter, so that said

CHAP. 130

corporation the year its charter is accepted shall receive the total amount payable to it in money, as provided in said section four, or part thereof in services already performed and expenditures already made and the balance thereof in money, as the case may be.'

Approved March 29, 1917.

Chapter 130.

An Act to Grant Certain Powers to Acadia Landing.

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

Sec. 1. Incorporation validated. The incorporation of Acadia Landing, organized under the general law, September twenty-third, eighteen hundred eighty-nine, is hereby ratified and confirmed.

Sec. 2. Purposes may be amended; proviso. The stockholders of said Acadia Landing are hereby authorized by vote, at a meeting called for the purpose, to alter and amend the purposes of the corporation so as to permit any person unanimously approved by the directors of the corporation to become a member of and stockholder therein, and to acquire and hold not exceeding six shares of said stock, provided that a certificate showing such amended purposes shall be approved by the attorney general and recorded, as provided by law in the case of original certificates of organization.

Approved March 29, 1917.

Chapter 131.

An Act Authorizing the Maintenance of a Bridge between Mill and Storehouse, by Worumbo Manufacturing Company, Lisbon Falls, Maine.

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

Location of bridge and specifications. That the Worumbo Manufacturing Company, its successors and assigns, is authorized to maintain a bridge of steel and iron from its mill proper, located at Lisbon Falls, in Lisbon, Maine, over and across Canal street to its storehouse or storehouses located northerly and across said Canal street from said mill; said bridge to be not more than nine feet in width and to have a clearance of not less than sixteen feet above the surface of said Canal street, with piers wholly outside the bounds of said street; and to be located approximately one hundred sixty-five feet easterly of the easterly side of the bridge connecting Main street, so-called, with the mill proper.

Approved March 29, 1917.