

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eightieth
Legislature

1921

Chapter 120.

An Act to Create the Hancock-Sullivan Bridge District.

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

Sec. 1. Territorial limits, corporate name and purposes. The towns of Hancock, Sullivan, Sorrento, Gouldsboro and Winter Harbor in the County of Hancock and the people and territory within the same shall constitute a public municipal corporation under the name of Hancock-Sullivan Bridge District, for the purpose of taking advantage of the provisions of chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen and acts additional and amendatory thereto in the same manner as is therein provided that towns may do and of applying through its board of trustees for the construction of a bridge between the towns of Sullivan and Hancock in the County of Hancock across Taunton bay or Sullivan river, so-called, from the terminus of the Waukeag Ferry road now existing on the Hancock shore under the provisions of said acts and of this act and of raising its proportional share of the cost of said construction of said bridge and of its maintenance thereafter and for the doing of any and all things necessary and incidental to said main objects.

Sec. 2. Entitled to benefits of "Bridge Law." The said Hancock-Sullivan Bridge District is hereby declared to be entitled to the benefits of the provisions of said acts enumerated in section one for the construction of said bridge and to file a petition therefor as provided in section two of said chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen as amended, and said chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen and all acts additional and amendatory thereto shall apply to the said Hancock-Sullivan Bridge District herein created in the same manner as it does to towns so far as the same is not inconsistent herewith, and all rights, powers and privileges granted to, and duties imposed upon towns by said acts are hereby imposed upon and granted to said Hancock-Sullivan Bridge District, excepting such as are inconsistent herewith and all rights, powers and privileges granted to and imposed upon municipal officers of towns by said acts are hereby granted to and imposed upon the trustees of said bridge district. In arriving at any decision required of the "Board" by said acts the state highway commission shall have one vote, the county commissioners of Hancock county one vote and the trustees of said bridge district one vote.

Sec. 3. Management of affairs; trustees, how chosen; other officers; vacancies, how filled; majority may act. All the affairs of said bridge district shall be managed by a board of trustees composed

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of ten members, all of whom shall be chosen at town meetings held within thirty days after this act takes effect, as follows: Two shall be chosen by the Town of Hancock, two by the Town of Sullivan, two by the Town of Sorrento, two by the Town of Gouldsboro and two by the Town of Winter Harbor. Said trustees shall choose a treasurer, clerk and such other officers and agents as they may deem necessary for the proper management of the affairs of the district and may establish a code of by-laws and all necessary rules and regulations for the proper conduct of the affairs of said district. Whenever a vacancy shall for any reason occur in the board of trustees the same shall be filled at the next annual meeting of said town in whose membership such vacancy exists. A majority of the trustees chosen shall have full power to act notwithstanding the failure or neglect of any town or towns to choose its members, or notwithstanding any vacancy in said board however otherwise caused.

Sec. 4. Right of eminent domain conferred; adjustment of damages in case of disagreement. Said Hancock-Sullivan Bridge District shall have the right to take all land or real estate necessary for carrying out the purposes of this act. Said bridge district may, by a majority of its trustees enter upon any lands or real estate so taken and held, make surveys and locations and shall file in the registry of deeds for Hancock county a plan and description of all lands so taken and within thirty days thereafter shall publish notice of such taking and filing, in some newspaper published in said county wherein said land is taken, such publication to be continued for three weeks successively. Should said trustees or a majority of them be unable to agree with the land owner upon the damages to be paid for the land or real estate so taken, the land owner or the said trustees may, within six months after the filing of said plan, petition the county commissioners of said County of Hancock, who shall cause such damages to be assessed in the same manner and under the same conditions, limitations, restrictions and rights of appeal as are by law prescribed in cases of damages for the laying out of highways so far as said law is consistent with the provisions of this act.

Sec. 5. Bond issue authorized; bonds legal investment for savings banks. For accomplishing the purposes of this act said bridge district, through its trustees, is authorized to borrow money and issue therefor the interest bearing negotiable notes and bonds of said bridge district and for the purpose of refunding or paying said indebtedness, may from time to time issue negotiable bonds of the district to an amount necessary in the judgment of the trustees therefor. Said negotiable notes and bonds shall be legal obligations of said bridge district, the people and territory within the same, which is hereby declared a quasi-municipal corporation within the meaning of section one hundred and five of chapter

fifty-one of the revised statutes. The bonds of said district shall be a legal investment for the savings banks of the state, and shall be exempt from all taxation.

Sec. 6. Damages to be paid owners of Waukeag Ferry; how adjusted.

The county commissioners of Hancock county are hereby authorized to determine on petition therefor by said trustees or by the owner or owners of Waukeag Ferry, so-called, after notice and hearing, the damages suffered by said owner or owners by reason of the construction of said bridge. When said damages are so ascertained the said county commissioners shall certify the same to the state treasurer who shall forthwith pay the amount thereof to the said owner or owners from the joint construction fund.

Sec. 7. Sinking fund created; how money shall be apportioned and raised.

When said bridge shall have been completed the said trustees shall annually determine what amount of money is to be paid annually into the sinking fund, or if the bonds or notes authorized by this act shall be issued to mature serially, what amount of money will be required each year to meet the said notes or bonds falling due, and what amount of money will be required each year to meet the interest on said bonds or notes and for maintenance and other necessary expenses and obligations incurred by said district and the same shall be assessed annually on the property and polls in the territory included within the limits of said bridge district. Said trustees shall determine what proportional part of said amounts shall be assessed on the property and polls within the limits of each town that make up said bridge district; the same to be divided between said towns in proportion to their valuations last made by the board of state assessors. Each year thereafter before the first day of April the said trustees of said bridge district shall issue their warrant in the same form as the warrant of the state treasurer for state taxes with proper changes, to the assessors of said towns comprising said bridge district requiring them to assess their respective proportional part of the total sum so determined and to commit their assessment to the constable or collector of their respective towns who shall have all the authority and powers to collect said tax as is vested by law in them, to collect state, county and municipal taxes. On or before the thirty-first day of December of each year in which said tax is so levied, the treasurer of each of said towns shall pay the amount so assessed to the treasurer of said bridge district. In case of failure on the part of the treasurer of either of said towns to pay in said sum or any part thereof on or before the thirty-first day of December in the year in which said tax is so levied the treasurer of said bridge district may issue his warrant for the amount of said tax or so much as shall remain unpaid, directed to the sheriff of the County of Hancock, requiring him to levy it by distress and sale on real and personal

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property of any of the inhabitants of the said town in which said tax was levied and the sheriff or either of his deputies shall execute such warrant. Except as otherwise provided herein, the same authority as is vested in county officers for the collection of county taxes as provided by law is hereby vested in the officers of said bridge district in relation to the collection of taxes within said district.

Sec. 8. Incidental powers, rights and privileges granted. All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted the public municipal corporation hereby created.

Sec. 9. How cost of bridge and damages shall be apportioned to state, county and district. Of the total cost of said bridge including money paid for damages for land taken and for damages to the owner of Waukeag Ferry, so-called, as herein provided, said bridge district shall furnish twenty per cent, the County of Hancock thirty per cent, and the state fifty per cent.

Sec. 10. Bridge to be free to public; maintenance. After said bridge shall have been completed, it shall be a free highway bridge and shall be maintained by said bridge district and by the said County of Hancock; the said bridge district paying seventy per cent of the cost of maintenance thereof and the said County of Hancock thirty per cent of said cost.

Sec. 11. Liability for damages sustained through defect or want of repairs of bridge. After said bridge shall have been completed and open to the public, whoever when using said bridge as a highway receives any bodily injury or suffers damages to his property through any defect or want of repair or sufficient railing thereon, may recover for the same from said bridge district in a special action on the case as provided in section ninety-two of chapter twenty-four of the revised statutes for suits against towns, subject to the same restrictions, limitations and notices as therein expressed. Provided, however, that all notices therein required to be had by or given to the municipal officers or road commissioner of said town shall be had by or given to the trustees or any one of them of said bridge district.

Sec. 12. Hancock county commissioners authorized to negotiate loan for cost of construction of bridge and payment of damages. Upon approval of the estimated cost of the construction of said bridge as provided by law the county commissioners of Hancock county are hereby authorized and directed forthwith to obtain a loan or loans of money for the purpose of paying said county's proportion for the construction of

said bridge as aforesaid and cause notes or obligations of said county to be issued upon such time and bearing such rate of interest as said county commissioners may deem expedient.

Approved April 5, 1921.

Chapter 121.

An Act to Amend the Corporate Purposes of the Eastport Hotel Company.

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

Purposes amended. The purposes of the Eastport Hotel Company as defined in the certificate of organization of said corporation are hereby amended so as to read as follows:

‘The purposes of said corporation are building, maintaining and conducting a hotel in the City of Eastport; also,

‘To purchase, lease and otherwise acquire; to improve and develop; to hold and use; to let, lease, sell and otherwise dispose of real estate;

‘To do any or all of the things hereinbefore set forth as natural persons might or could do as principal, agents, contractors or otherwise.

‘And generally to do and perform any and all things necessary for the successful prosecution of the business in any or all of its branches.’

Approved April 5, 1921.

Chapter 122.

An Act to Amend Section Three of Chapter Two Hundred and Thirty-five of the Private and Special Laws of Nineteen Hundred and Eleven, Relating to a Police Commission in the City of Biddeford.

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

P. & S. L., 1893, c. 625, § 3; 1911, c. 235, § 3; relating to the appointment of a board of police for the city of Biddeford, amended. Section three of chapter two hundred and thirty-five, private and special laws, of nineteen hundred and eleven, is hereby amended by striking out the portion of said section beginning with the word “and” in the fifth line thereof and including the word “York” in the thirteenth line thereof and substituting in lieu thereof the following: ‘and the fees of the chief of police, captain of police, and all other police officers of said city in criminal cases, prosecuted and finally disposed of in the Municipal Court of the City of Biddeford, including their fees as witnesses, shall be taxed and allowed as in behalf of the sheriffs in the County of York, and such fees shall be paid semi-annually during the months of April and October by the treas-