

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

Published by the Secretary of State, in accordance with the Resolves of the Legislature
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1925

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Second
Legislature

1925

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the statutes of this state are hereby ratified and confirmed and the validity of the same likewise renewed and extended.

Approved March 9, 1925.

Chapter 17.

An Act to Amend the Charter of the City of South Portland.

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

P. & S. L., 1895, c. 242, sec. 7; 1919, c. 95; relating to powers and duties of city council of South Portland, amended. Section seven of chapter two hundred and forty-two of the private and special laws of eighteen hundred and ninety-five, as amended by chapter ninety-five of the private and special laws of nineteen hundred and nineteen, is hereby further amended by striking out in the tenth and eleventh lines thereof, the words "to an amount not exceeding five hundred thousand dollars in addition to that now held by the town," so that said section, as amended, shall read as follows:

Sec. 7. Limitation of power to purchase and hold property for municipal purposes to amount of \$500,000, removed. The city council shall secure a prompt and just accountability by requiring bonds with sufficient penalty and surety or sureties, from all persons trusted with the receipt, custody or disbursement of money; the city council shall also have the care and superintendence of the city buildings, and the custody and management of all city property and trust funds for the benefit of schools, public library, parks, cemeteries and for any other beneficial purpose, whether acquired by purchase or legacy; with power to let or sell what may be legally let or sold, and to purchase and take, in the name of the city, real and personal property for municipal purposes, and shall, as often as once a year, cause to be published for the information of the inhabitants, a particular account of the receipts and expenditures and a schedule of the city property and the city debt. The city shall have the power to establish by ordinance such officers as may be necessary for municipal government not provided for by this act, and to elect such subordinate officers as may be elected by towns under general laws of the state for whose election or appointment other provision is not made; to define their duties and fix their compensation; to act upon all matters in which authority is now given to said town of South Portland, and to determine what streets, if any, shall be lighted and upon what terms. The city council shall appropriate annually the amount necessary to meet the expenditures of the city for the current municipal year. The city council shall have exclusive authority to lay out, widen or otherwise alter or discontinue any and all

streets or public ways in said city, and as far as extreme low water mark, and to estimate all damages sustained by owners of land taken for such purpose. A committee of the council shall be appointed whose duty shall be to lay out, alter, widen or discontinue any street or way, first giving notice of the time and place of their proceedings to all parties interested, by an advertisement in two newspapers printed in South Portland or Portland, for three weeks at least, next previous to the time appointed. The committee shall first hear all parties interested, and then determine and adjudge whether the public convenience requires such street or way to be laid out, altered or discontinued, and shall make a written return of their proceedings, signed by a majority of them, containing the bounds and descriptions of the street or way, if laid out or altered, and the names of the owners of the land taken, when known and the damages allowed therefor; the return shall be filed in the city clerk's office at least seven days previous to its acceptance by the city council. The street or way shall not be altered or established until the report is accepted by the city council. And the report so filed shall not be altered or amended before it comes up before the city council for action. A street or way shall not be discontinued by the city council, except upon the report of said committee. The committee shall estimate and report the damages sustained by the owners of the lands adjoining that portion of the street or way which is so discontinued; their report shall be filed with the city clerk seven days at least before its acceptance. Any party aggrieved by their decision may appeal therefrom as provided by law in the case of town ways. If a street or way is discontinued before the damages are paid or recovered for the land taken, the land owners shall not be entitled to recover such damages but the committee in their report discontinuing the same shall estimate and include all the damages sustained by the land owner, including those caused by the original location of the streets; and in such cases, if any appeal has been regularly taken, the appellant shall recover his costs. The city shall not be compelled to construct or open any street or way thus hereafter established, until in the opinion of the city council, the public good requires it to be done; nor shall the city interfere with possession of the land so taken by removing therefrom materials or otherwise, until they decide to open said street. The city council may regulate the height and width of the sidewalks in any public square, places, streets, lanes or alleys in said city; and may authorize hydrants, drinking fountains, posts and trees to be placed along the edge of the sidewalks, and may locate and construct culverts and reservoirs within the limits of any street or way in said city, whenever they deem it needful. Every law, act, ordinance, resolve or order of the city council excepting rules and orders of parliamentary character, shall be presented to the mayor. If not approved by him he shall return it with his objections in

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writing at the next stated session of the city council, which shall enter the objections at large on its journal and proceed to reconsider the same. If, upon reconsideration, it shall be passed by vote of two-thirds of all the members of the board, it shall have the same force as if approved by the mayor. In case of vacancy in the mayor's office, this section shall not apply to any act of the council. In case the mayor fails to either sign or return the bill at the next session, then it becomes a law as though he had signed it.'

Approved March 9, 1925.

Chapter 18.

An Act Relating to the Bangor Public Library.

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

Organization of declared legal; authorized to hold property to amount of \$3,000,000. The trustees of the Bangor public library, a corporation organized under the laws of this state and located at Bangor, county of Penobscot, which organization is hereby declared to be legal and valid, is hereby authorized and empowered for the purposes of its organization to receive, take and hold by deed, devise, bequest or otherwise, property, real, personal and mixed, to the amount of three million dollars (\$3,000,000) including all gifts, conveyances, bequests and devises, heretofore made to said corporation.

Approved March 9, 1925.

Chapter 19.

An Act Relating to Close Time on Lobsters in the Towns of Cutler, Trescott and Lubec, in Washington County.

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

P. & S. L., 1915, c. 154; 1923, c. 32; relating to closed time on lobsters in certain waters in towns of Cutler, Trescott and Lubec, amended. Chapter one hundred and fifty-four of the private and special laws of nineteen hundred and fifteen, as amended by chapter thirty-two of the private and special laws of nineteen hundred and twenty-three, is hereby amended by striking out all of said chapter and inserting in place thereof the following:

Closed time July 1, to August 31. 'No person or persons shall set any trap or other device used for catching lobsters between the first day of July and nine A. M. August thirty-first of each year, under a penalty of five dollars for each trap or other device set within the following described