

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

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and I the said PERCIVAL PROCTOR BAXTER COVENANT with the State of Maine that I will WARRANT AND DEFEND the said premises to the said State of Maine against the lawful claims and demands of all persons claiming by, through or under me.

IN WITNESS WHEREOF I the said PERCIVAL PROCTOR BAXTER being unmarried have hereunto set my hand and seal this seventeenth day of March in the year one thousand nine hundred fifty-five.

Signed and Sealed  
in the presence of

Seal

ALICE M. GURNEY

PERCIVAL PROCTOR BAXTER

State of Maine:  
Cumberland: SS

Portland, Maine, March 17, 1955.

Personally appeared the above named PERCIVAL PROCTOR BAXTER and acknowledged the above instrument to be his free act and deed.

Before me

ALICE M. GURNEY  
Notary Public

Seal

Effective August 20, 1955

### Chapter 62

AN ACT Relating to Repair of Private Common Sewers in the City of Portland.

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

P. & S. L., 1891, c. 184, § 4-A, additional. Chapter 184 of the private and special laws of 1891, as amended, is hereby further amended by adding thereto a new section, to be numbered 4-A, to read as follows:

'Sec. 4-A. Private common sewers. The said municipal officers of the City of Portland, whenever in their judgment the public interests requires, may order the Commissioner of Public Works of the City of Portland to repair any private common sewer located in the City of Portland and shall assess the total cost of such repairs upon the parcels of land connected to said private common sewer and which are benefitted by such repair. The procedure for making such assessment and the right of appeal therefrom shall be the same as provided above for the construction of a public sewer, but such repair of a private common sewer shall in no way be deemed to constitute the acceptance of such sewer as a public sewer.'

Effective August 20, 1955

### Chapter 63

AN ACT Relating to Term of Office of Town Clerk of Fort Fairfield.

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

P. & S. L., 1943, c. 5, § 2, amended. The 1st paragraph of section 2 of chapter 5 of the private and special laws of 1943 is hereby amended to read as follows:

'At such annual town meetings, the voters shall elect by ballot, as hereinafter provided, 3 persons who are qualified to vote in said town to be known as councillors, a member or members of the library trustees for a term of 5 years, a member or members of the superintending school committee, in accordance with the revised statutes of ~~1930~~ 1954 and amendments thereto, and a town clerk to serve for a term of 3 years.'

Effective August 20, 1955

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## Chapter 64

### AN ACT Relating to the Digging of Clams in the Town of Lincolnville.

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

**Sec. 1. Digging clams in Lincolnville.** No person shall dig or take any clams within the limits of the town of Lincolnville, in the county of Waldo, unless a written license has been granted him by the selectmen of said town. The selectmen of said town are hereby authorized to grant and issue such license and fix the annual fee therefor for residents of the town of Lincolnville and nonresident taxpayers of said town; to limit the amount of clams that may be taken at any one tide; and to set the dates during which clams may be dug from all or any portion of the flats. Nothing herein shall prohibit any resident or nonresident taxpayer of said town from digging and taking not in excess of one peck of clams per day for food for himself and family without license, nor any riparian owner from digging on his own property without license. For the purposes of this chapter, the term "resident" shall mean a person who has resided in this State for a period of at least 6 consecutive months and within the town of Lincolnville for a period of at least 3 months immediately prior to the date when a claim of such residence is made. For the purposes of this chapter, the term "nonresident taxpayer" shall mean a person who has actually paid a tax to the collector of taxes for the town of Lincolnville for the municipal year last ending prior to the date when a claim of such status is made.

**Sec. 2. License.** No person, firm or corporation shall buy clams for resale within the limits of the town of Lincolnville unless a written license has been granted to him by the selectmen of said town. The selectmen of said town are authorized to grant and issue such license and to fix the annual fee therefor.

**Sec. 3. Revocation of license.** The selectmen of said town may revoke any license issued by them, or by their predecessors in office, under the provisions of this chapter upon evidence satisfactory to them that the person, firm or corporation digging, taking, selling or buying clams has violated any of the laws of the State regulating the taking and sale of clams. If the selectmen of the said town refuse to issue the licenses provided for in this chapter, or if a license has been revoked by them, a person aggrieved may apply to any justice of the superior court, in term time or vacation, who may order the issuance or restoration thereof, provided that said justice finds that the selectmen of said town acted fraudulently or corruptly or erred in their conclusion of facts.

**Sec. 4. Penalty.** Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days.

Effective August 20, 1955