

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

# STATE OF MAINE

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**Private and Special Laws**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-eighth Legislature

**1957**

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“Sec. 1. Retirement pensions for police and fire departments. The city of Portland is authorized to provide, by ordinance, for the retirement upon pension not exceeding one-half of final pay of members of its police and fire departments, including the chiefs thereof, who are not members of the Maine State Retirement System, and who have been honorably discharged from said departments by reason of having been permanently disabled in the performance of duty or having reached such voluntary or compulsory retirement age as shall from time to time be established in said ordinance.

Sec. 2. Disability pensions. The city of Portland is further authorized to provide, by ordinance, for the retirement upon pension of not less than one-tenth nor more than one-half of final pay of members of its police and fire departments, including the chiefs thereof, who are not members of the Maine State Retirement System, and who have been honorably discharged from said departments by reason of having served in said departments not less than 10 years and having been permanently disabled other than in the performance of duty, and further providing that any such disability pension may be revoked and said member restored to service in said department should said disability cease on or before the voluntary retirement age existing in said ordinance at the time of termination of said disability.’

Effective August 28, 1957

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## Chapter 80

### AN ACT to Change the Name of the Town of North Kennebunkport, York County, to Arundel.

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

Name of North Kennebunkport changed to Arundel. The name of the town of North Kennebunkport, in the county of York, is hereby changed to Arundel; and said town shall hereafter be called and known by the name of Arundel.

Said town of Arundel shall have and possess all the rights and privileges of the town of North Kennebunkport and shall be subject to all its obligations and liabilities.

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the town of North Kennebunkport at any annual or special town meeting called and held for the purpose not later than January 1, 1958. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen shall not be required to prepare, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters said selectmen shall be in session 2 hours next preceding such special meeting. The town clerk shall reduce the subject matter of this act to the following question: “Shall the Act to Change the Name of the Town of North Kennebunkport, York County, to Arundel, passed by the 98th Legislature, be accepted?” and the voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 20% of the total vote cast for all

candidates for Governor in said town at the next preceding gubernatorial election.

The result of the vote shall be declared by the municipal officers of the town of North Kennebunkport and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective August 28, 1957

## Chapter 81

AN ACT Relating to the Disposition of Fees of the Auburn Municipal Court.

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

P. & S. L., 1915, c. 194, § 16. Section 16 of chapter 194 of the private and special laws of 1915 is hereby amended to read as follows:

'Sec. 16. Fines, fees, forfeitures and costs, how accounted for. The recorder shall receive all fines, forfeitures and costs paid into said court in criminal proceedings, and shall pay over to the parties or witnesses the fees allowed to them, if called for within one year, except the fees of the judge and recorder, which together with all fees received for his services in civil actions he shall account for and pay over to the treasurer of the ~~city of Auburn~~ County of Androscoggin during the month following that in which the same are received. All fines and forfeitures and all fees so received and not seasonably called for, he shall account for and pay over at the time and in the manner required by law, but no account required by this section shall be deemed sufficient unless approved and signed by the judge.'

Effective August 28, 1957

## Chapter 82

AN ACT Relating to Civil Actions in Western Somerset Municipal Court.

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

P. & S. L., 1901, c. 485, § 7, amended. Section 7 of chapter 485 of the private and special laws of 1901 is hereby amended to read as follows:

'Sec. 7. Jury trial; transfer of action; fees of judge. If any defendant, his agent or attorney, in any action in this court, in which the debt or damages claimed in the writ exceeds \$20, shall, during the term at which it was entered, file in said court an affidavit, that he has a good defence to said action, and intends in good faith to make such defence, and claims a jury trial and shall pay the judge ~~sixty cents~~ \$1 for entry fee in the ~~supreme judicial court~~ Superior Court, and ~~twenty five cents~~ \$1 for his order, to be taxed in said defendant's costs if he prevails, the said judge shall attach to the original writ his order under his hand and seal of court, transferring said action to the ~~supreme judicial court~~ Superior Court in said county, and deliver the writ together with all papers filed in the case, and entry fee, to the clerk of said