

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

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KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

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ship or Thomaston for at least 3 months immediately prior to the date when a claim for such residence may be made.'

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 7, 1961

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## Chapter 116

AN ACT Relating to Construction of Drains and Sewers in City of Portland.

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

P. & S. L., 1891, c. 184, §§ 5-7, repealed and replaced. Sections 5, 6 and 7 of chapter 184 of the private and special laws of 1891, as amended, are repealed and the following enacted in place thereof:

'Sec. 5. **Liens.** All assessments made under this act shall create a lien upon each and every lot or parcel of land so assessed, which lien shall continue for one year after said assessments are payable, and within 10 days after they are made the clerk of said city shall make out a list of all such assessments, the amount of each assessment, and the name of the person, if known, against whom the same is assessed, to be by him certified; and he shall deliver the same to the treasurer of said city, and if said assessments are not paid within 3 months from the date of said assessments, then the treasurer shall proceed to collect said assessments, with or without interest at a rate of not more than 6% per annum as the municipal officers of said city shall determine, and with costs and incidental charges, in the manner provided for collection of taxes by enforcement of lien procedure, which lien shall be enforced not less than 8 months nor more than one year from the date said assessments are made.

Sec. 6. **Redemption.** Any person to whom the right by law belongs may, at any time within 18 months from the date of the filing of said lien certificate, redeem such real estate by paying to the treasurer the sum for which the lien was placed on such real estate, with or without interest at a rate of not more than 6% per annum as the municipal officers of said city shall determine, with costs of redemption. After said period, said lien mortgage shall be deemed to have been foreclosed and the right of redemption to have expired, and said mortgage shall be prima facie evidence in all courts in all proceedings by and against said city, its successors and assigns, of the title of the city to the real estate described therein and of the regularity and validity of all proceedings with reference to the acquisition of title by such lien mortgage and the foreclosure thereof.

Sec. 7. **Civil action for collection.** If said assessments are not paid, and said city does not proceed to collect said assessments by said lien procedure, or is in any manner delayed or defeated in completing said lien procedure, then the said city in the name of the inhabitants of said city, or in the name of such city, may sue for and maintain a civil action against the party so assessed for the amount of said assessment as for money paid, laid out and expended, in any court competent to try the same, and in such action may recover the amount of such assessment with 6% interest on the same from the date of said assessment and costs; provided, however, that if such city should in any manner accept less than

the amount of said assessment with such interest thereon as may have been charged for its right, title and interest in the real estate, the party so assessed shall be under no personal liability for the remainder of said assessment.'

Effective September 16, 1961

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## Chapter 117

### AN ACT to Repeal the Acts Creating the Oxford Village Corporation.

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

**Sec. 1.** P. & S. L., 1867, c. 280, & 1891, c. 169, repealed. Subject to the provisions of section 4 hereof, chapter 280 of the private and special laws of 1867, as amended, and chapter 169 of the private and special laws of 1891, as amended, each of which acts purported to create a municipal corporation in the Town of Oxford bearing the name of Oxford Village Corporation, are repealed.

**Sec. 2.** Rights, etc., of Oxford Village Corporation vested in the Town of Oxford. Upon the acceptance of this act as provided in section 4 hereof, all real and personal property, or any interest therein, then owned by the Oxford Village Corporation, together with all accounts receivable, choses in action, and all other rights and benefits that may be either then due and payable to, or would accrue to, or for the benefit of said Oxford Village Corporation but for this act, shall be and become the property of the Town of Oxford; said town being hereby vested with all rights and powers of holding, disposing of or enforcing such rights so acquired.

**Sec. 3.** Contracts, etc., to be assumed by Town of Oxford. Upon the acceptance of this act as provided in section 4 hereof, all valid contracts, obligations and liabilities of said Oxford Village Corporation shall be assumed and executed by the Town of Oxford.

**Sec. 4.** Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of this Legislature, only for the purpose of permitting its submission to the legal voters of the Oxford Village Corporation at an annual or special village corporation meeting duly called and held within one year after the effective date of this act, pursuant to a proper warrant therefor containing the following article: "To see if this Corporation will accept 'An Act to Repeal the Acts Creating the Oxford Village Corporation' passed by the 100th Legislature."

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.

A certificate of the result of the vote shall be filed by the clerk of the Oxford Village Corporation with the Secretary of State immediately after the final adjournment of said meeting.

Effective September 16, 1961