

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 283

In Senate, Feb. 7, 1913.

Came from the House referred to the Committee on Legal Affairs, and on motion by Senator Bailey of Penobscot, laid on table for printing, pending reference in concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend Chapter 453 of the Private and Special Laws of Eighteen hundred and eighty-nine, entitled, "An Act to amend An Act entitled, 'An Act to incorporate the City of Brewer.'"

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

Section 1. Section three of chapter 453 of the private and
2 special laws of eighteen hundred and eighty-nine is hereby
3 amended by striking out in the fourteenth line of said sec-
4 tion the word "one" and inserting in place thereof the word
5 "five" so that said section as amended shall read as follows:

'Sect. 3. The mayor of said city shall be chief executive

7 magistrate thereof. It shall be his duty to be vigilant and
8 active in causing the laws and regulations of the city to be
9 executed and enforced, to exercise a general supervision
10 over the conduct of all subordinate officers, and to cause
11 their violation or neglect of duty to be punished. He may
12 call special meetings of the board of aldermen when in
13 his opinion the interests of the city require it, by causing a
14 summons or notification to be given by mail, or left at the
15 usual dwelling place of each member of the board. He
16 shall, from time to time, communicate to the city council
17 such information, and recommend such measures as the
18 business and interest of the city may in his opinion require.
19 He shall preside in the board of aldermen, but shall have
20 only a casting vote. The salary and compensation of the
21 mayor shall be five hundred dollars per year, which shall
22 not be increased or diminished during his continuance in
23 office, unless by the vote of the qualified electors in ward
24 meetings called for the purpose. Nor shall he receive from
25 the city any other compensation for any services by him
26 rendered in any other capacity or agency; provided, how-
27 ever, the aldermen may elect the mayor to any city office,
28 and allow him a reasonable compensation for such services;
29 but the aldermen shall receive no compensation for their
30 services, as such.'

Sect. 2. Section eleven of said chapter 453 of the private
2 and special laws of eighteen hundred and eighty-nine is
3 hereby amended by striking out in the 5th, 6th and 7th lines

4 of said section the words, "a chief of police, who shall be
5 styled the city marshal, and who shall exercise all the pow-
6 ers and perform all the duties of a constable," so that said
7 section as amended shall read as follows:

'Sect. 11. The city council, shall, in the first instance, on
9 the last Saturday of March, and thereafter, annually, on the
10 third Monday in March, or as soon thereafter as may be
11 convenient, by ballot elect, for the ensuing year the follow-
12 ing officers: a city clerk, a city treasurer, one overseer of the
13 poor, one assessor of taxes, a road commissioner, a collector
14 of taxes, a school agent, one member of the superintending
15 school committee, or a supervisor, a pound keeper, and one
16 or more city constables. All said officers and agents shall
17 hold their offices during the ensuing year, and until others
18 are elected and qualified in their stead, unless sooner re-
19 moved by the city council; and all moneys received and col-
20 lected for and on account of the city, by an agent or officer
21 thereof, shall forthwith be paid into the city treasury. The
22 city council shall take care that moneys shall not be paid
23 from the treasury unless granted or appropriated; shall se-
24 cure a prompt and just accountability, by requiring bonds
25 with sufficient penalties and sureties, from all persons trust-
26 ed with the receipt or custody of the public money; shall
27 have the care and superintendence of the city public build-
28 ings, and the custody and management of all city property,
29 with the power to let or sell what may be legally let or sold,
30 and to purchase in the name of the city such real or per-

31 sonal property, not exceeding the sum of one hundred thou-
32 sand dollars, including the property now owned by the city,
33 as they deem of public utility. And the city council shall,
34 as often as once a year, cause to be published, for the infor-
35 mation of the inhabitants, an account of receipts and ex-
36 penditures, and a schedule of the city property, and no
37 money shall be paid from the city treasury, unless the same
38 be appropriated by the city council, and upon a warrant
39 signed by the mayor, which warrant shall state the appro-
40 priation under which the same is drawn.'

Sect. 3. Section thirteen of said chapter 453 of the private
2 and special laws of eighteen hundred and eighty-nine is
3 hereby amended by inserting after the word officers in the
4 2nd line of said section the words, "excepting a chief of po-
5 lice, who shall be appointed annually by the mayor on the
6 third Monday of March, or as soon thereafter as may be
7 convenient, who shall be styled the city marshal, and who
8 shall exercise all the powers and perform all the duties of a
9 constable," so that said section as amended shall read as
10 follows:

'Sect. 13. The city council may provide by ordinance for
12 the election and removal of all other necessary officers, ex-
13 cepting a chief of police, who shall be appointed annually by
14 the mayor on the third Monday of March, or as soon there-
15 after as may be convenient, who shall be styled the city
16 marshal, and who shall exercise all the powers and perform
17 all the duties of a constable. All officers elected by the city

18 council may be removed by vote of a majority of all the
19 members of the city council. The compensation of all offi-
20 cers except the mayor shall be fixed by the city council. All
21 vacancies may be filled by the city council. The term of all
22 officers, except as otherwise specially provided, shall be for
23 one year and until others are qualified in their places.'