

# MAINE STATE LEGISLATURE

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# Seventy-first Legislature.

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HOUSE.

No. 55

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## STATE OF MAINE.

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

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AN ACT to incorporate the city of Camden.

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*Be it enacted by the Senate and House of Representatives in  
Legislature assembled, as follows:*

Section 1. The inhabitants of the town of Camden, in the  
2 county of Knox, shall continue to be a body politic and cor-  
3 porate under the name of the city of Camden, and as such  
4 shall have, exercise and enjoy all the rights, immunities,  
5 powers, privileges, and franchises, and shall be subject to all  
6 the duties and obligations now incumbent upon and pertain-  
7 ing to the said town as a municipal corporation, and may  
8 enact reasonable by-laws and regulations for municipal pur-  
9 poses and impose penalties for the breach thereof, not exceed-  
10 ing twenty dollars for any one offence, to be recovered for  
11 such uses as the city council may designate.

Sect. 2. The administration of all fiscal, prudential and  
2 municipal affairs of said city, with the government thereof,

3 shall be vested in an officer to be called the mayor, and one  
4 council of ten, being two from each ward, to be denominated  
5 a board of aldermen, all of whom shall be inhabitants of said  
6 city and legal voters therein. Said mayor and aldermen shall  
7 constitute the city council, and shall be sworn or affirmed in  
8 the form prescribed by the constitution of the State for State  
9 officers.

Sect. 3. The mayor of said city shall be the chief executive  
2 magistrate thereof. It shall be his duty to be vigilant and  
3 active in causing the laws and regulations of the city to be  
4 executed and enforced, to exercise a general supervision over  
5 the conduct of all subordinate officers, and to cause their viola-  
6 tion or neglect of duty to be punished. He may call special  
7 meetings of the city council when in his opinion the interest  
8 of the city require it, by causing a summons or notification  
9 to be given in hand or left at the usual dwelling place of each  
10 member thereof. He shall, from time to time, communicate  
11 to the city council such measures as the business and inter-  
12 ests of the city, may in his opinion, require. He shall preside  
13 at the meetings of the city council, but shall have only a cast-  
14 ing vote. The salary and compensation of the mayor shall  
15 be one hundred dollars per annum for the first three years  
16 under this charter. It may then be diminished or increased  
17 by the board of aldermen, but not oftener than once in three  
18 years. He shall not receive from the city any other com-  
19 pensation for any services by him rendered in any other  
20 capacity or agency. The mayor shall, in the month of Feb-  
21 ruary annually, prepare and lay before the city council an  
22 estimate of the amount of money necessary to be raised for  
23 the current financial year, under the various heads of appro-  
24 priation, and the ways and means of raising the same; and  
25 shall also in the month of December, annually, prepare and  
26 lay before the city council a statement of all the receipts and  
27 expenditures for each department; and said statement shall

28 be accompanied with a schedule of the property, real and  
29 personal, belonging to the city, and the value thereof, and the  
30 city debt.

Sect. 4. The city council shall secure a prompt and just  
2 accountability, by requiring bonds with sufficient penalty and  
3 surety or sureties, from all persons trusted with the receipt,  
4 custody or disbursement of money ; the city council shall also  
5 have the care and superintendence of the city buildings, and  
6 the custody and management of all city property, and trust  
7 funds for the benefit of schools, public library, parks, ceme-  
8 teries, and for any other beneficial purpose whether acquired  
9 by purchase, gift or legacy ; with power to let or sell what  
10 may be legally let or sold, and to purchase and take in the  
11 name of the city, real and personal property for municipal  
12 purposes, to an amount not exceeding one hundred thousand  
13 dollars, in addition to that now held by the town, and Camden  
14 Village Corporation, and shall as often as once a year cause  
15 to be published for the information of the inhabitants, a par-  
16 ticular account of the receipts and expenditures, and a sched-  
17 ule of the city property and the city debt. The city council  
18 shall have the power to establish by ordinance, such officers  
19 as may be necessary for municipal government, and for the  
20 management and care of the city property, not provided for  
21 by this act, and to elect such subordinate officers as may be  
22 elected by towns under general law of the State, for whose  
23 election or appointment other provision is not herein made ;  
24 to define their duties and fix their compensation ; to act upon  
25 all matters in which authority is now given to said town of  
26 Camden or the selectmen thereof ; and to determine what  
27 streets, if any, shall be lighted and upon what terms, and how  
28 said city shall be supplied with water for municipal purposes  
29 and upon what terms. The city council shall appropriate  
30 annually, the amount necessary to meet the expenditures of  
31 the city for the current municipal year. The city council

32 shall have exclusive authority to lay out, widen, or otherwise  
33 alter or discontinue any and all streets and highways in said  
34 city, and to estimate and allow all damages sustained by  
35 owners of land taken for such purpose. A committee of the  
36 council shall be appointed, whose duty shall be to lay out,  
37 alter, widen or discontinue any street or way, first giving  
38 notice of the time and place of their proceedings to all parties  
39 interested, by an advertisement in a newspaper published in  
40 said city, for three weeks at least, next previous to the time  
41 appointed; or by giving written notice of their intention, to  
42 be posted for seven days, in two public places in the city, and  
43 in the vicinity of the way, describing it in said notice. The  
44 committee shall first hear all parties interested, and then deter-  
45 mine and adjudge whether the public convenience requires  
46 such street or way to be laid out, altered or discontinued, and  
47 shall make a written return of their proceedings, signed by a  
48 majority of them, containing the bonds and descriptions of  
49 the street or way, if laid out or altered, and the names of the  
50 owners of the land taken, when known, and the damages  
51 allowed therefor; the return shall be filed in the city clerk's  
52 office at least seven days previous to its acceptance by the city  
53 council. The street or way shall not be altered or established  
54 until the report is accepted by the city council; and the report  
55 so filed shall not be altered or amended before it comes up  
56 before the city council for action. A street or way shall not  
57 be discontinued by the city council except upon the report of  
58 said committee. The committee shall estimate and report  
59 the damages sustained by the owners of the lands adjoining  
60 that portion of the street or way which is so discontinued;  
61 their report shall be filed with the city clerk, seven days, at  
62 least, before its acceptance. Any party aggrieved at the  
63 action of the city council or the committee thereof, in laying  
64 out, and accepting, or in unreasonably refusing to lay out or  
65 accept such streets or ways, or the assessment of damages,

66 shall have the same remedy as provided by law in the case of  
67 town ways. The city shall not be compelled to construct or  
68 open any street or way thus hereafter established until, in the  
69 opinion of the city council, the public good requires it to be  
70 done; nor shall the city interfere with possession of the land  
71 so taken by removing therefrom materials, or otherwise, until  
72 it is decided to open said street. The city council may regu-  
73 late the height and width of the sidewalks in any public  
74 square, place, street, lane or alley in said city; and may  
75 authorize hydrants, drinking fountains, posts and trees to be  
76 placed along the edge of the sidewalks, or within the limit of  
77 any street or way in said city, and may locate and construct  
78 culverts and reservoirs within the limits of any street or way  
79 in said city, whenever they deem it needful for protection  
80 against fire, and the city shall not be liable for any damages  
81 caused by such hydrants, drinking fountains, trees, posts and  
82 reservoirs, nor by any poles and wires erected in its streets  
83 by any parties authorized by law so to do. Every law, act,  
84 ordinance, resolve or order of the city council, excepting rules  
85 and orders of a parliamentary character, shall be presented to  
86 the mayor. If not approved by him, he shall return it with  
87 his objections, in writing, at the next stated session of the city  
88 council, which shall enter the objections at large on its jour-  
89 nal, and proceed to consider the same. If upon such recon-  
90 sideration it shall be passed by a vote of two-thirds of all the  
91 members of the board of aldermen, it shall have the same  
92 force as if approved by the mayor. In case of vacancy in  
93 the mayor's office, the above provision shall not apply to any  
94 act of the council. In case the mayor fails to either sign or  
95 return the bill at the next session, then it becomes a law as  
96 though he had signed it.

Sect. 5. The city clerk shall, before entering upon the  
2 duties of his office, be sworn or affirmed by the mayor or a  
3 justice of the peace, to the faithful discharge thereof. He

4 shall have care of all journals, records, papers and documents  
5 of the city: and shall deliver the same, and all other things  
6 entrusted him as city clerk, to his successor in office. He shall  
7 be clerk of the city council, and do such acts in his said  
8 capacity as the city council may lawfully and reasonably  
9 require of him. He shall perform all duties and exercise all  
10 the powers by law incumbent upon, or vested in the town  
11 clerk of the town of Camden. He shall attend all meetings  
12 of the city council, and keep a journal of its acts, votes and  
13 proceedings. He shall engross all of the ordinances passed  
14 by the city council in a book provided for the purpose, and  
15 shall add proper indexes, which book shall be deemed a public  
16 record of such ordinances. He shall issue to every person  
17 who is appointed to any office by the mayor, or elected to any  
18 office by the city council, a certificate of such appointment or  
19 election. He shall give notice of the time and place of reg-  
20 ular ward meetings. In case of the temporary absence of the  
21 city clerk, the city council may elect a clerk, pro tempore, with  
22 all powers, duties and obligations of the city clerk, who shall  
23 be duly qualified.

Sect. 6. The assessors, overseers of the poor and health  
2 officers shall be elected by the city council on the third Mon-  
3 day of January, or as soon thereafter as may be. At the  
4 first election thereof under this act, three persons shall be  
5 elected assessors, one of whom shall be elected for one year,  
6 one for two years and one for three years, and at each subse-  
7 quent election one assessor shall be elected for three years,  
8 each of whom shall continue in office until some other person  
9 shall have been elected and qualified in his place. Three  
10 overseers of the poor shall be elected in the same manner as  
11 are the assessors, and shall hold office for the same time, and  
12 all subsequent elections of these officers shall be in the same  
13 manner as all subsequent elections of assessors. The city  
14 council may elect an assistant assessor in each ward, whose

15 duty it shall be to furnish the assessors with all necessary  
16 information relative to persons and property taxable in his  
17 ward. He shall be sworn or affirmed to the faithful per-  
18 formance of his duty. All taxes shall be assessed, appor-  
19 tioned and collected in the manner prescribed by the laws of  
20 this State relative to town taxes, except as herein modified,  
21 and the city council may establish further or additional pro-  
22 visions for the collection thereof and of interest thereon.

Sect. 7. The city council shall elect annually as soon after  
2 its organization as may be convenient, by ballot a city clerk,  
3 a city treasurer and a collector of taxes, and may elect a city  
4 solicitor, who shall hold their offices for the current municipal  
5 year following their election and until their respective suc-  
6 cessors shall be elected and qualified; provided, however, that  
7 any of the officers named in this section may be removed at  
8 any time by the city council for sufficient cause. Vacancies  
9 in the above named offices may be filled by ballot of the city  
10 council at any time. All warrants directed to the collector  
11 of taxes by the assessors and municipal officers shall run to  
12 him and his successors in office, and shall be in the form pre-  
13 scribed by law, changing such parts only as by this act are  
14 required to be changed. The method of keeping, vouching  
15 and settling his accounts shall be subject to such rules and  
16 regulations as the city council may establish. Said collector  
17 shall collect all such uncollected taxes and assessments, in  
18 whatever year assessed, as may be collected during his term  
19 of office; and at the expiration of said term his powers as  
20 collector shall wholly cease; all sales, distresses, and all other  
21 acts and proceedings, lawfully commenced by him as collector,  
22 may be as effectually continued and completed by his suc-  
23 cessor in office as though done by himself; and all unreturned  
24 warrants, which would otherwise be returnable to him, shall  
25 be returned to his successor in office.



Sect. 8. There shall be annually elected by the city council  
2 a street commissioner, who shall give bonds to the city in  
3 the sum of one thousand dollars, with such sureties as the  
4 city council shall approve, for the faithful performance of  
5 his duty and shall receive such compensation as the city coun-  
6 cil shall establish and he shall be removed at their pleasure ;  
7 and if said office shall become vacant by death, resignation or  
8 otherwise, they shall forthwith elect another person to said  
9 office to fill such vacancy.

1. It shall be the duty of the street commissioner to super-  
11 intend the general state of the streets, roads, bridges, side-  
12 walks and lanes of the city ; to attend to the repairs of the  
13 same, and to remove sidewalks when they are dangerous to  
14 travelers ; and it shall be the duty of the commissioner to  
15 cause permanent bounds, monuments or landmarks, to be  
16 erected at the termini and angles of all highways and streets  
17 now located ; or that may hereafter be located by the council,  
18 or altered or widened as provided by statute, and shall cause  
19 plans thereof to be made and filed with the city clerk when  
20 required, after the passage of an order by the city council.  
21 He shall make all contracts for labor and material, subject to  
22 the approval of the city council, and give notice to the mayor  
23 or to any police officer, or constable, of any obstruction or  
24 encroachment on the streets. He shall superintend the build-  
25 ing and repairs of all sewers, drains or reservoirs, and make  
26 contracts for labor and material for the same, subject to the  
27 approval of the city council.

2. He shall perform such duties in his said office as the  
29 city council may require, and shall at all times obey the direc-  
30 tions of the city council, or its committee, in the performance  
31 of his official duties.

3. He shall certify all accounts and bills contracted in the  
33 discharge of his official duties, to the council for their exam-  
34 ination and allowance at each regular meeting of the council.

4. No person or corporation authorized by the city council  
36 to dig up any public street or sidewalk in said city, shall begin  
37 such digging before furnishing to the street commissioner  
38 security satisfactory to him, to restore such street or sidewalk  
39 to its original condition.

Sect. 9. The city council first elected under this act, shall,  
2 as soon after its organization as may be convenient, elect by  
3 ballot three persons, legal voters of said city, to constitute a  
4 board of managers of ancient burying grounds, and the  
5 public cemeteries of said city, to serve, one for three years,  
6 one for two years, and one for one year from the third Mon-  
7 day of January then next ensuing, and until their respective  
8 successors shall be elected, and thereafter the city council shall  
9 annually, on the third Monday of January in the same manner  
10 elect one person, a legal voter of said city, to serve on said  
11 board of managers for three years then next ensuing, and  
12 until his successor is chosen. The said board shall have  
13 charge and control of the public cemeteries and burial places  
14 belonging to the city, and shall serve without pay. The board  
15 shall keep deposited at the office of the city clerk, a correct  
16 record of its proceedings, which shall be open to public  
17 inspection.

Sect. 10. The city council may, by the affirmative vote of  
2 two-thirds of all its members, establish by ordinance, a police  
3 department to consist of a city marshal and such other police  
4 officers and men as it may prescribe, and may make regu-  
5 lations for the government of the department. Until a  
6 department of police shall be established in accordance with  
7 the provisions of this act, the mayor shall have the appoint-  
8 ment, control and direction of the police force of the city.

Sect. 11. The city council may establish a fire department  
2 for said city, to consist of a chief engineer and such assistant  
3 engineers and other officers and men as it may prescribe, and  
4 it may make regulations for the government of the depart-  
5 ment.

Sect. 12. The city council shall establish by ordinance, the 2 regular salaries or remuneration of the officers established 3 by this act, in case the same are not fixed herein, and of such 4 other officers as may be hereafter established, and after the 5 first municipal year no ordinance of the council changing any 6 such salary or remuneration shall take effect until the munici- 7 pal year succeeding that in which the ordinance is passed. 8 Said council may pass such other ordinances not repugnant 9 to law, as they may see fit.

Sect. 13. In case any ordinance, order, resolution or vote 2 involves the appropriation or expenditure of money to an 3 amount which may exceed one hundred and fifty dollars, the 4 laying of an assessment, or the granting to a person or cor- 5 poration of any right in, over or under any street or other 6 public ground of said city, the affirmative votes of a majority 7 of all the members of the city council shall be necessary for 8 its passage. Every such ordinance, order, resolution or vote 9 shall be read twice with an interval of at least three days 10 between the two readings before being finally passed, and 11 the vote upon its final passage shall be taken by roll call. No 12 sum appropriated for a specific purpose shall be expended 13 for any other purpose, except by a majority vote of all the 14 members of the council, and no expenditure shall be made, or 15 liability incurred by or in behalf of the city, until an appro- 16 priation has been duly voted by the city council, sufficient to 17 meet such expenditures or liability, together with all unpaid 18 liabilities that are payable out of such appropriation; pro- 19 vided, however, that, after the expiration of the financial year, 20 and until the passage of the regular annual appropriations, 21 liabilities payable out of a regular appropriation to be con- 22 tained therein may be incurred to an amount not exceeding 23 one-quarter of the total of such appropriations for the ensu- 24 ing year. No money shall be paid out of the city treasury

25 except on orders signed by the mayor, designating the fund  
26 or appropriation from which said orders are to be paid.

Sect. 14. It shall be the duty of the selectmen of the town of  
2 Camden as soon as may be after this act shall have been  
3 accepted by said town as hereinafter provided, to cause a divi-  
4 sion of said town to be made into five wards, in such manner  
5 as includes as nearly as may be, consistently with well defined  
6 limits, an equal number of legal voters in each ward, and  
7 publish the same in one issue at least of a newspaper pub-  
8 lished in Knox county, before the first election of mayor.  
9 For the purpose of organizing the system of government  
10 hereby established, and putting the same in operation in the  
11 first instance, the selectmen of the town of Camden, for the  
12 time being, shall at least seven days before the last Monday  
13 of March, next after the acceptance of this charter, issue their  
14 warrants for calling meetings of the said voters in each ward  
15 at such place and hour of the day as they shall deem expedient,  
16 for the purpose of choosing a warden and clerk for each  
17 ward, and also to give their vote for a mayor to be taken from  
18 the city at large, and two aldermen for each ward; and the  
19 transcript of the records of each ward, specifying the votes  
20 given for mayor and two aldermen, certified by the warden  
21 and clerk of said ward, shall, on the evening of the day of  
22 said first election be returned to the said selectmen of the said  
23 town of Camden, whose duty it shall be to examine and com-  
24 pare the same; and in case such election shall not be completed  
25 at the first election, to forthwith issue new warrants until  
26 such elections shall be completed according to the provisions  
27 of this act; and to give notice thereof to the several persons  
28 elected. At said first meeting any legal voter of said ward  
29 may call the citizens to order and preside until a warden shall  
30 have been chosen; and at said first meeting, a list of voters  
31 in each ward, prepared and corrected by the selectmen of the  
32 town of Camden for the time being, shall be delivered to the

33 clerk of each ward, when elected, to be used as provided by  
34 law in town meetings. And on the second Monday of Jan-  
35 uary annually, thereafter, the qualified voters of each ward  
36 shall vote on one ballot for city and ward officers as provided  
37 by law for elections in cities, all of which officers, except the  
38 mayor, shall be residents of the wards or districts where  
39 elected. Said officers shall be elected by a plurality of the  
40 votes given, and shall hold their offices from the third Mon-  
41 day of January, and until others shall be elected and qualified  
42 in their places; all city and ward officers shall be held to dis-  
43 charge the duties of the offices to which they have been  
44 respectively elected, notwithstanding the removal, after their  
45 election, out of their respective wards into any other ward in  
46 the city, but they shall not so be held after they have taken  
47 up their permanent residence out of the city; the ward clerk  
48 within twenty-four hours after such election, shall deliver to  
49 the ward officers elected, certificates of their election, and  
50 shall forthwith deliver to the city clerk a certified copy of the  
51 record of such election, a plain, and intelligible abstract of  
52 which shall be entered by the city clerk upon the city records.  
53 If the person elected at the first election shall refuse to accept  
54 the office, the said board shall issue their warrants for another  
55 election; and thereafter in case of a vacancy in the office of  
56 mayor, or any alderman, warden or ward clerk, by death,  
57 resignation or otherwise, it shall be filled for the remainder  
58 of the term by a new election to be called as provided for  
59 other city elections, and held within twenty days after the  
60 vacancy occurs. The oath or affirmation prescribed by this  
61 act shall be administered to the mayor by the city clerk or any  
62 justice of the peace in said city. The aldermen elect shall  
63 meet on the third Monday of January at seven o'clock in the  
64 evening, (except those first elected who shall meet one week  
65 after the first election) when the oath or affirmation required  
66 by the second section of this act shall be administered to the

67 members present, by the mayor or any justice of the peace in  
68 said city. The city council shall by ordinance determine the  
69 times of holding stated or regular meetings of the council,  
70 and shall also in like manner determine the manner of calling  
71 special meetings, and the persons by whom the same shall be  
72 called, but, until otherwise provided by ordinance, special  
73 meetings shall be called by the mayor, by causing a notifica-  
74 tion to be given in hand, or left at the usual residence of each  
75 member.

Sect. 15. After the organization of a city government, and  
2 the qualification of a mayor, and when a quorum of the city  
3 council shall be present, said council, the mayor presiding,  
4 shall proceed to choose a permanent chairman, who in the  
5 absence of the mayor, shall preside at all meetings of the  
6 council, and in case of any vacancy in the office of mayor, he  
7 shall exercise all the powers and perform all the duties of that  
8 office so long as such vacancy shall remain; he shall continue  
9 to have a vote in the board but shall not have the veto power.  
10 The board of aldermen in the absence of the mayor and  
11 permanent chairman shall choose a chairman, pro tempore,  
12 who shall exercise the powers of permanent chairman.

Sect. 16. Every officer of the city, except the mayor, shall,  
2 at the request of the city council, appear before said council  
3 and give such information as may be required, and answer  
4 any questions that may be asked by the council in relation to  
5 any matter, act or thing connected with his office, or the dis-  
6 charge of the duties thereof.

Sect. 17. The aldermen shall not be entitled to receive any  
2 salary or other compensation during the year for which they  
3 are elected, for their services, nor be eligible to any office of  
4 profit or emolument, the salary of which is payable by the  
5 city during said term, and all departments, boards, officers  
6 and committees acting under the authority of the city and  
7 entrusted with the expenditure of public money, shall expend

8 the same for no other purpose than that for which it is appro-  
9 priated and shall be accountable therefore to the city in such  
10 manner as the city council shall direct.

Sect. 18. All officers of the police and health departments  
2 shall be appointed by nomination by the mayor, and confirmed  
3 by the aldermen, and may be removed by the city council for  
4 cause. Except as otherwise provided in this act, all subor-  
5 dinate officers shall be elected annually, in such manner as the  
6 city council shall provide, on the third Monday of January,  
7 or as soon thereafter as may be, and their term of office shall  
8 be one year, and until others are qualified in their place.

Sect. 19. The superintending school committee of the town  
2 of Camden consisting of three members, whose terms of office  
3 expire, one in March, nineteen hundred and three, one in  
4 March, nineteen hundred and four, and one in March, nine-  
5 teen hundred and five, shall be continued as the superintend-  
6 ing school committee of the city of Camden. Upon the  
7 expiration of the terms of the members of said committee and  
8 thereafter at its annual meeting to elect subordinate city  
9 officers, the city council shall elect a person to fill the place  
10 of each member whose term expires, who shall hold office for  
11 three years. The city council shall have power to increase  
12 the number of members of said committee, so electing such  
13 additional members that the term of an equal number thereof,  
14 as nearly as possible, shall expire in one, two and three years  
15 from the date of such increase in number. No member of  
16 the committee shall receive any compensation for his services  
17 as such. The members of said committee duly elected shall  
18 meet and organize as soon after the election of any new  
19 member or members as may be. A majority of the board  
20 shall constitute a quorum for the transaction of business.  
21 They shall have all the powers and perform all the duties in  
22 regard to the care and management of the public schools of  
23 said city which are now conferred upon the superintending

24 school committees by the laws of this State, except as other-  
25 wise provided in this act. They shall annually, and when-  
26 ever there is a vacancy, elect a superintendent of schools for  
27 the current municipal year, who shall not be a member of the  
28 board of superintending school committees, and who shall  
29 have the care and supervision of said public schools under  
30 their direction, and act as secretary of that board. They shall  
31 fix his salary at the time of his election, which shall not be  
32 increased or diminished during the year for which he is  
33 elected, and may at any time dismiss him, if they deem it  
34 necessary, proper or expedient. A suitable and convenient  
35 room shall be furnished by the city for the meeting of said  
36 committee, wherein shall be kept their records open to the  
37 inspection of the citizens. The said committee shall annually  
38 in the month of December furnish to the city council, an  
39 estimate in detail of the several sums required during the  
40 ensuing municipal year for the support of said public schools,  
41 and they shall not increase the expenditures beyond the  
42 amount appropriated therefor.

Sect. 20. Part I. The city council may make, lay and  
2 maintain all such drains or common sewers, as they adjudge  
3 to be necessary for the public convenience, or the public  
4 health, through the public streets, or through lands of any  
5 person or corporation, and may repair the same whenever it  
6 is necessary as hereinafter provided. All such drains and  
7 sewers shall be the property of the city, and shall be con-  
8 structed in such manner and of such dimensions as the city  
9 council deem best.

Part II. When such drains or sewers are laid through the  
11 land of any person or corporation, and the land taken there-  
12 for, the proceedings shall be the same as provided by Revised  
13 Statute and this act in the case of laying out streets.

Part III. The city council shall adjudge what lots or par-  
15 cels of land are to be benefited by such drains or sewers, and



16 establish outlines of same and estimate what sums shall be  
17 assessed upon such lots and parcels of land, or the owners  
18 thereof, towards defraying the expense of constructing such  
19 drains or sewers, the whole of said assessment not to exceed  
20 one-half of the cost of such drains or sewers.

Part IV. Upon the application of five resident tax payers  
22 for the construction of drains or sewers in a locality, the city  
23 council, if it deems them necessary, may proceed to construct  
24 such drains or sewers in manner as herein provided.

Part V. When such drains or sewers are completed, the  
26 city council shall adjudge what lots or parcels of land are  
27 benefited by such drains or sewers, and estimate and assess  
28 upon such lots and parcels of land and against the owners  
29 thereof, if known, such sum not exceeding such benefit, as  
30 they may deem just and equitable towards defraying the  
31 expenses of constructing and completing such drains or  
32 sewers which shall forever thereafter be maintained and kept  
33 in order by said city; the city council shall file with the clerk  
34 of said city the amount assessed upon each lot or parcel of  
35 land so assessed and the name of the owner of each lot or  
36 parcel of land, if known, and the clerk of said city shall record  
37 the same in a book kept for that purpose, and within ten days  
38 after filing such notice each person so assessed shall be noti-  
39 fied of such assessment by having an authentic copy of said  
40 assessment with an order of notice signed by the clerk, stat-  
41 ing the time and place for a hearing on the subject matter  
42 of said assessment given to the person so assessed, or left at  
43 his usual place of abode in said city; if he has no place of  
44 abode in said city, then such notice shall be given to or left  
45 at the place of abode of his tenant or lessee, if he has one in  
46 said city; if he has no tenant or lessee in said city, then by  
47 posting the same in some conspicuous place in the vicinity  
48 of the lot or parcel of land so assessed, at least thirty days  
49 before said hearing; or such notice may be given by publish-

50 ing the same in a newspaper published in said city, three  
51 weeks successively, the first publication to be not less than  
52 thirty nor more than sixty days before said hearing; if there  
53 be no newspaper published in said city, said publication may  
54 be made in the same way in any newspaper published in the  
55 county of Knox; a return made by copy of such notice by any  
56 constable of said city, or the production of the paper contain-  
57 ing such notice shall be conclusive evidence that such notice  
58 has been given, and upon such hearing, the city council shall  
59 have power to revise, increase or diminish any such assess-  
60 ment, and all such revision, increase or diminution shall be  
61 stated in writing and recorded by the city clerk.

Part VI. Any person who is aggrieved by the doings of  
63 said city council in laying out and constructing said drains or  
64 sewers, or in making said assessments, may appeal therefrom  
65 to the next term of the supreme judicial court which shall  
66 be holden in the county of Knox, more than thirty days from  
67 and after the day when the hearing last mentioned is con-  
68 cluded, excluding the day of the commencement of the ses-  
69 sion of said term of court; the appellants shall serve written  
70 notice of such appeal upon said city council fourteen days, at  
71 least before the session of the court, and shall at the first term,  
72 file a complaint setting forth the facts of the case; either  
73 party shall be entitled to a trial by jury, or the matter in  
74 dispute may, if parties so agree, be decided by a committee of  
75 reference, and the court shall render such judgment and  
76 decree in the premises as the nature of the case may require;  
77 at the trial exceptions may be taken to the ruling of the judge  
78 as in other cases.

Part VII. All assessments made under the provisions of  
80 this act shall create a lien upon each and every lot or parcel  
81 of land so assessed, and within ten days after they are made  
82 the clerk of said city shall make out a list of all assessments,

83 the amount of each assessment, the name of the persons, if  
84 known, against whom the same are assessed, to be by him  
85 certified; and he shall deliver the same to the treasurer of  
86 said city, and if said assessments are not paid within three  
87 months from the date of said assessments, then the treasurer  
88 shall proceed and sell such of said lots or parcels of land,  
89 upon which such assessments remain unpaid, or so much  
90 thereof, at public auction, as is necessary to pay such assess-  
91 ments and all costs and incidental charges, in the same way  
92 and manner that real estate is advertised and sold for taxes  
93 under the laws of this State, said treasurer being hereby  
94 invested with all the powers in advertising and selling said  
95 lots or parcels of land, that any treasurer or collector of taxes  
96 of a town may now or hereafter have for said purposes under  
97 said laws of this State; and upon such sale the treasurer shall  
98 make, execute and deliver his deed to the purchaser thereof,  
99 which shall be good and effectual to pass the title to such real  
100 estate.

Part VIII. Any person to whom the right by law belongs,  
102 may, at any time within one year from the date of said sale,  
103 redeem such real estate by paying to the purchaser or his  
104 assigns, the sum for which the same was sold with interest  
105 thereon at the rate of twelve per centum per annum, with  
106 cost of reconveyance.

Part IX. If said assessments are not paid and said city does  
108 not proceed to collect them by a sale of the lots or parcels  
109 of land upon which they are made, or does not collect, or  
110 is in anyway delayed or defeated in collecting such assess-  
111 ments, by sale of the real estate so assessed, then the said  
112 city may, in the name of such city, sue for and maintain an  
113 action against the parties so assessed for the amount of said  
114 assessment, as for money paid, laid out and expended, in  
115 any court competent to try the same, and in such suit may  
116 recover the amount of such assessment with twelve per cent

117 interest on the same from the date of said assessment, and  
118 costs; provided, however, that if any lot, when sold in the  
119 manner before provided, shall not sell for enough to pay the  
120 amount of said assessment with interest and costs the owner  
121 thereof shall be under no personal liability for the same.

Sect. 21. Said city shall have a seal, which shall be in the  
2 custody of the clerk, and such seal shall bear as its principal  
3 device a mountain which shall be as nearly as may be, a repre-  
4 sentation of "Mt. Battie," and for its inscription the name of  
5 said city and the date on which said city's existence shall  
6 begin under this act.

Sect. 22. A municipal court shall be, and is hereby estab-  
2 lished in and for said city, to be denominated the municipal  
3 court of Camden, which shall be a court of record having a  
4 seal to be established by the judge of said court, which court  
5 shall consist of one judge who shall be an inhabitant of the  
6 county of KNOX, of sobriety of manners and learned in the  
7 law, who shall be appointed as provided in the constitution  
8 and who shall have and exercise concurrent authority and  
9 jurisdiction with trial justices, justices of the peace and of the  
10 quorum, over all matters and things within their jurisdiction,  
11 and such authority and jurisdiction additional thereto as is  
12 conferred upon him by this act.

Sect. 23. Said municipal court shall have jurisdiction as  
2 follows: Exclusive jurisdiction in all matters and things  
3 where both parties interested, or the plaintiff and the person  
4 or persons summoned as trustees, shall be inhabitants of or  
5 residents in said city, or, in case said parties are corporations,  
6 have an established place of business in said city; and said  
7 court shall also have exclusive jurisdiction over all such  
8 criminal offences committed within the limits of said city, as  
9 are cognizable by justices of the peace or trial justices, and  
10 under similar restrictions and limitations except as herein-  
11 after otherwise provided. And said court shall have con-

12 current jurisdiction with the supreme judicial court and the  
13 police court of the city of Rockland in all personal actions  
14 where the debt or damage demanded, exclusive of costs, is  
15 over twenty dollars and not over one hundred dollars, and in  
16 all actions of replevin, when it appears that the sum demanded  
17 for the penalty, forfeiture or damages does not exceed one  
18 hundred dollars, or that the property in the beasts or other  
19 chattels is in question and the value thereof does not exceed  
20 one hundred dollars, and either defendant or person sum-  
21 moned as trustees, is a resident, or, if a corporation, has an  
22 established place of business in Knox county; but this juris-  
23 diction shall not include proceedings under the divorce laws  
24 or complaints under the mill act, so called, nor jurisdiction  
25 over actions in which the title to real estate according to the  
26 pleadings filed in the case by either party is in question except  
27 as is provided in chapter ninety-four, sections six and seven  
28 of the Revised Statutes. If any defendant in any action in  
29 said court where the amount claimed in the writ exceeds  
30 twenty dollars, or his agent or attorney, shall, on the return  
31 day of the writ, file in said court, a motion asking that said  
32 cause be removed to the supreme judicial court, and deposit  
33 with the judge the sum of two dollars for copies and entry  
34 fee in said supreme court, to be taxed in his costs if he pre-  
35 vails, the said action shall be removed into the said supreme  
36 judicial court for said county and the judge shall forthwith  
37 cause certified copies of the writ, officers return and defend-  
38 ant's motion to be filed in the clerk's office of the supreme  
39 judicial court, and shall pay the entry fee thereof; and said  
40 action shall be entered on the docket of the term next preced-  
41 ing said filing, unless said court shall be in session, when it  
42 shall be entered forthwith, and shall be in order for trial at  
43 the next succeeding term. If no such motion is filed, the  
44 said municipal court shall proceed and determine said action,  
45 subject to the right of appeal in either party as herein pro-

46 vided in other cases. The pleadings in such cases shall be  
47 the same as in the supreme judicial court. In any action in  
48 which the plaintiff recovers not over twenty dollars debt or  
49 damages, the costs shall be taxed the same as before trial  
50 justices, except that the plaintiff shall have two dollars for  
51 his writ. When the defendant prevails in any action in which  
52 the sum claimed in the writ is not over twenty dollars, he  
53 shall recover two dollars for his pleadings and other costs  
54 as before trial justices. In actions where the amount recov-  
55 ered by the plaintiff, exclusive of costs, exceeds twenty dol-  
56 lars, or the amount claimed exceeds twenty dollars, where the  
57 defendant prevails, the costs of parties, trustees and wit-  
58 nesses shall be the same as in the supreme judicial court,  
59 except the costs to be taxed for attendance shall be two dol-  
60 lars and fifty cents for each term and for trial of issue, eighty  
61 cents. All the provisions of the statutes of this State, rela-  
62 tive to the attachment of real and personal property and the  
63 levy of executions, shall be applicable to actions in this court,  
64 and executions on judgments rendered therein. Actions may  
65 be referred, and judgment on the referee's report may be  
66 rendered in the same manner and with the same effect as in  
67 the supreme judicial court. Said court shall also have exclu-  
68 sive jurisdiction in all cases of forcible entry and detainer  
69 arising in said city.

Said court shall have jurisdiction of all cases of simple  
71 larceny, and where the property alleged to be stolen shall not  
72 exceed the value of thirty dollars, and of all cases of cheating  
73 by false pretenses, where the property, money or other thing  
74 alleged to have been fraudulently obtained, shall not exceed  
75 in value the sum of thirty dollars, and shall have power to  
76 try the same, and in either of said cases, to award sentence  
77 upon conviction by fine not exceeding fifty dollars, or impris-  
78 onment in the county jail with or without labor, for a term  
79 not exceeding ninety days. He shall have exclusive jurisdic-

80 tion of all offenses arising in said city, which are by any law  
81 or statute within the jurisdiction of a trial justice, and con-  
82 current jurisdiction with trial justices of the county of Knox,  
83 and with the police court of the city of Rockland, of all such  
84 offenses arising in said county, out of said city of Camden,  
85 except in the said city of Rockland; and shall have exclusive  
86 jurisdiction of all offenses against the ordinances and by-laws  
87 of said city of Camden.

Sect. 24. Said court shall be held on the third Monday of  
2 each month at ten o'clock in the forenoon, for the transaction  
3 of civil business, at such place within said city as the judge  
4 shall determine, but the city may at any time provide a court  
5 room, in which case the court shall be held therein, and all  
6 civil processes shall be made returnable accordingly. Said  
7 court may be adjourned from time to time by the judge, but  
8 it shall be considered in constant session for the cognizance  
9 of criminal actions.

Sect. 25. It shall be the duty of the judge of said court to  
2 make and keep the records thereof, or cause the same to be  
3 made and kept, and to perform all duties required of similar  
4 tribunals in this State; and copies of said records, duly cer-  
5 tified by said judge, shall be legal evidence in all courts.  
6 The judge may appoint in writing, a recorder, who shall be a  
7 trial justice for the county of Knox, duly qualified, who shall  
8 be sworn by said judge, who shall keep the records of said  
9 court when requested so to do by the judge; in case of the  
10 absence from the court room, or sickness of the judge, or  
11 when the office of the judge shall be vacant, the recorder shall  
12 have and exercise all the powers of the judge, and perform  
13 all duties required of said judge by this act, and shall be  
14 empowered to sign and issue all processes and papers, and do  
15 all acts as fully and with the same effect as the judge could  
16 do were he acting in the premises; and the signature of the  
17 recorder, as such, shall be sufficient evidence of his right to

18 act instead of the judge. When the office of judge is vacant,  
19 the recorder shall be entitled to the fees ; in all other cases he  
20 shall be paid by the judge, and shall hold his said office at the  
21 discretion of said judge.

Sect. 26. Any person aggrieved at any judgment or sen-  
2 tence of said court may appeal to the supreme judicial court  
3 in the same manner as from a judgment or sentence of a trial  
4 justice, and all such appeals shall be in order for trial at the  
5 first term of said appellate court after such appeal is taken.  
6 Final judgment in said municipal court may be re-examined  
7 in the supreme judicial court on a writ of error or on a peti-  
8 tion for review, and when the judgment is reversed, the  
9 supreme judicial court shall render such judgment as said  
10 municipal court should have rendered, and when a review is  
11 granted it shall be tried in said supreme judicial court.

Sect. 27. Writs and processes issued by said court shall be  
2 in the usual form, signed by the judge and under the seal of  
3 said court. They shall be served as like precepts are required  
4 to be served when issued by trial justices, except original  
5 writs in civil actions, which shall be served not less than seven  
6 nor more than sixty days before the sitting of the court at  
7 which the same are made returnable.

Sect. 28. Said court is hereby authorized to administer  
2 oaths, render judgment, issue execution, punish for contempt,  
3 and compel attendance, as in the supreme judicial court, and  
4 make all such rules and regulations, not repugnant to law, as  
5 may be necessary and proper for the administration of  
6 justice.

Sect. 29. Actions in said court shall be entered on the first  
2 day of the term in the forenoon, and not afterwards, except  
3 by special permission. When a defendant legally served,  
4 fails to enter his appearance by himself or attorney, on the  
5 first day of the return term, he shall be defaulted ; but if he  
6 afterwards appears during the term, the court may, for suffi-



7 cient cause, permit the default to be taken off. Pleas in  
8 abatement must be filed on or before the day of the entry of  
9 the action. The defendant may file his pleadings, which shall  
10 be the general issue, with a brief statement of special matter  
11 of defense on the return day of the writ, and must file them  
12 on or before the first day of the next term, or he shall be  
13 defaulted, unless the court for good cause, enlarge the time,  
14 for which it may impose reasonable terms. Actions in which  
15 the defendant files his pleadings on the return day and all  
16 actions of forcible entry and detainer seasonably answered  
17 to shall be in order for trial at the return term and shall  
18 remain so until tried or otherwise disposed of, unless con-  
19 tinued by consent or on motion of either party for good cause,  
20 in which latter case the court may impose such terms as it  
21 deems reasonable; but all other actions unless defaulted or  
22 otherwise disposed of, shall be continued as of course and be  
23 in order for trial at the next term.

Sect. 30. If at any regular or adjourned term of said court  
2 to be held for civil business, the judge or recorder is not  
3 present at the place for holding said court within two hours  
4 after the time for opening said court, then any trial justice or  
5 justice of the peace and quorum in the county of Knox, may  
6 preside for the purpose of entering and continuing actions  
7 and filing papers in said court, and may adjourn said court  
8 from time to time, not exceeding one week at any one time,  
9 without detriment to any action returnable or pending, and  
10 may in his discretion adjourn said court without day, in  
11 which event all actions returned or pending shall be consid-  
12 ered as continued to the next term.

Sect. 31. The judge of said court shall furnish his own  
2 blanks and may demand and receive therefor the sums  
3 allowed by law to trial justices for like blanks, and may also  
4 demand and receive the same fees allowed to trial justices and  
5 clerks of the supreme judicial court for like services, except

6 that he may demand and receive for a complaint and warrant  
7 in criminal cases, one dollar ; for the entry of a civil action,  
8 fifty cents ; for the trial of an issue, civil or criminal, two  
9 dollars for the first day and one dollar for each day after the  
10 first, occupied in such trial, to be paid to him by the plaintiff  
11 in civil cases before trial, who shall recover the same as costs  
12 if he prevails in the suit, and the fees so received by said  
13 judge shall be payment in full for his services. Provided  
14 that the city council may, at any time, by vote, determine to  
15 pay him a salary, which shall be accepted by him instead of  
16 said fees, in which case he shall pay all fees of office by him  
17 received into the city treasury.

Sect. 32. Trial justices are hereby restricted from exer-  
2 cising any jurisdiction in the city of Camden over any matter  
3 or thing, civil or criminal, except such as are in the juris-  
4 diction of justices of the peace and of the quorum ; provided  
5 that the said restrictions shall be suspended until the judge  
6 of said court shall enter upon the duties of his office. Any  
7 civil action in which the judge is interested but which other-  
8 wise would be within the exclusive jurisdiction of said court,  
9 may be brought and disposed of by the police court of the  
10 city of Rockland in the same manner and with the same effect  
11 as other matters therein. Nothing in this act shall be con-  
12 strued to interfere with actions which have been brought  
13 and are pending before trial justices in the town of Camden,  
14 but all such actions shall be disposed of by such trial justices  
15 the same as if this act had not passed.

Sect. 33. General meetings of the citizens qualified to vote  
2 in the city affairs may, from time to time, be held to consult  
3 upon the public good, to instruct their representatives, and to  
4 take any lawful measures to obtain redress of any grievances,  
5 according to the rights secured to the people by the consti-  
6 tution of the State ; and such meetings shall be duly warned  
7 by the mayor and aldermen upon requisition of twenty quali-

8 fied voters. The city clerk shall act as clerk of such meet-  
9 ings, and record the proceedings upon the city records.

Sect. 34. Chapter two hundred and sixty-six of the Private  
2 and Special Laws of eighteen hundred and sixty-seven,  
3 incorporating the Camden Village Corporation, and all laws  
4 amendatory thereof and additional thereto, are hereby  
5 repealed and said village corporation is hereby abolished, and  
6 on the acceptance of this act by the voters of the town of  
7 Camden as hereinafter provided, all the property of said vil-  
8 lage corporation, both real and personal, together with all  
9 moneys of said corporation in the hands of the treasurer  
10 thereof, or under his control, becomes the property of the  
11 city of Camden, and the city of Camden shall assume all  
12 obligations of said Camden Village Corporation then exist-  
13 ing, and all indebtedness, both temporary and bonded, and  
14 shall provide for the payment thereof according to the terms  
15 under which said indebtedness was contracted. All persons  
16 upon whom taxes have been legally assessed by said Camden  
17 Village Corporation, and who have not paid the same, shall  
18 be required to make payment thereof to the several collectors  
19 to whom warrants for the collection of said taxes have been  
20 issued, and said collectors shall pay over the same to the  
21 treasurer of the city of Camden. All rights, contracts, claims,  
22 immunities, privileges and franchises which might be exer-  
23 cised by said Camden Village Corporation may be exercised  
24 and enforced by the city of Camden as its successor; and all  
25 privileges, exemptions and immunities granted by the said  
26 Camden Village Corporation, if any, shall remain binding  
27 upon the city of Camden. The treasurer of said Camden  
28 Village Corporation is hereby authorized and empowered to  
29 execute and deliver to said city of Camden a deed of the real  
30 estate of said Camden Village Corporation. Provided, how-  
31 ever, that this section shall not take effect, until after this  
32 act is accepted by the voters of said town of Camden as here-

33 inafter provided and this section has been accepted by the  
34 voters of said Camden Village Corporation at a corporation  
35 meeting duly called for that purpose.

Sect. 35. The passage of this act shall not affect any right  
2 accruing or accrued, or any suit, prosecution or other legal  
3 proceeding pending at the time when it shall take effect by  
4 acceptance as herein provided for, and no penalty or for-  
5 feiture previously incurred shall be affected thereby. All  
6 persons holding office in said town of Camden at the time  
7 this act shall be accepted as aforesaid, shall continue to hold  
8 such offices until the organization of the city government  
9 hereby authorized shall be effected and until their respective  
10 successors shall be chosen and qualified.

Sect. 36. A town meeting may be held at the usual place  
2 of meeting in said town, for the purpose of submitting the  
3 question of the acceptance of this act to the legal voters of  
4 said town at any time within five years after the approval  
5 thereof, except in the months of September and November.  
6 At such meeting the polls shall be open from nine o'clock in  
7 the forenoon until five o'clock in the afternoon, and the vote  
8 shall be by written or printed ballots under an article in the  
9 warrant calling said meeting to read as follows, viz: "To  
10 see if the town will vote to accept the act passed by the Legis-  
11 lature in the year of our Lord, one thousand nine hundred  
12 and three, entitled 'An Act to incorporate the City of Cam-  
13 den.'" The town may elect a committee to assist in receiv-  
14 ing, sorting and counting the ballots, and a check list shall  
15 be used. The affirmative vote of a majority of the voters  
16 present and voting thereon shall be required for its acceptance.  
17 If at any meeting so held this act shall fail to be thus accepted,  
18 it may, at the expiration of six months or more from any  
19 such meeting, be again thus submitted for acceptance, but not  
20 after the period of five years from the approval thereof. Such  
21 meetings shall be called as provided for by the general laws

22 of the State for calling and holding meetings for the trans-  
23 action of town business.

Sect. 37. So much of this act as authorizes the submission  
2 of the acceptance thereof to the legal voters of said town,  
3 and so much as authorized the submission of the provisions  
4 of section thirty-six of this act to the legal voters of said  
5 Camden Village Corporation for acceptance, shall take effect  
6 upon its approval, but it shall not take further effect unless  
7 accepted by the legal voters of said town, as herein prescribed.  
8 If this act is accepted by said town as aforesaid, then all acts  
9 and parts of acts inconsistent with this act and not specially  
10 repealed thereby, are hereby repealed.

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STATE OF MAINE.

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IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 4, 1903.

Reported by Mr. SHACKFORD of Poland, from Committee on Towns,  
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*