

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

A C T S

OF THE

STATE OF MAINE,

PASSED BY THE

NINTH LEGISLATURE,

AT ITS

SESSION, COMMENCING JANUARY 7th, 1829.

Published agreeably to the Resolve of the 28th June, 1829.

Portland:

DAY & FRASER.....PRINTERS TO THE STATE.

1829.

than between sunrise on Monday and sunrise on Friday of each week.

Former acts inconsistent with this act repealed.

SECT. 3. *Be it further enacted,* That all Acts and parts of Acts, inconsistent with the provisions of this Act, be, and the same hereby are repealed.



CHAP. 55.

AN ACT regulating the Municipal Affairs of the Town of Portland.

Approved February 23, 1829.

Commissioner of Streets.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the duties of surveyors of highways in the town of Portland, shall hereafter be discharged by one person, to be styled the Commissioner of Streets, who shall be appointed annually by the Selectmen, and shall have all the powers, and perform all the duties, and be liable to all the penalties, which now do, or may hereafter by law devolve on surveyors of highways. But nothing herein contained shall be construed to restrain the town from vesting the care of the side walks in commissioners, specially appointed for that purpose.

Proviso as to side walks.

SECT. 2. *Be it further enacted,* That the Selectmen of Portland shall hereafter annually appoint a suitable number of persons inhabiting said town, to be constables, tythingmen, and clerks of the market; and one suitable and discreet person to be inspector of police; and one suitable and discreet person, learned in the law, to be town advocate; and any other ordinary town officers, which the inhabitants of the town, at any annual meeting, may order and direct them to appoint; and said Selectmen shall have power to make and ordain from time to time such reasonable rules and regulations, for the government of

Selectmen to appoint Constables, Tythingmen, Clerks of the market, inspector of police, town advocate and other town officers.

May make and ordain by-laws, &c.

all said officers, in the execution of their respective duties, as in the judgment of said Selectmen, may best secure and promote good order in said town; to fix and establish the compensation to be received by any officers by them appointed; and to remove from office any of said officers for just and reasonable cause, by them declared in writing, after due notice to such officer, and hearing him thereon, if requested, and to appoint others in their stead. And the officers so appointed shall take the oaths, and perform all the duties, and be liable to all the penalties required of, or incumbent upon persons holding like offices, under the general laws of this State. And it shall be the duty of said constables to execute all reasonable and lawful orders of the inspector of police, touching the discharge of his office, and to aid and assist him therein.

May remove officers.

SECT. 3. *Be it further enacted,* That all powers which may by law be exercised by the town of Portland, or by any other towns in this State, or by the Selectmen thereof, in relation to laying out, establishing, altering or discontinuing any town ways, streets, lanes, public squares, landings, or any like public easements, and awarding and allowing damages for the same, shall and may hereafter be exercised within the town of Portland by the Selectmen thereof, or the major part of them, upon seven days notice first by them given to the owners of the land, or their agents, if known, whose interests may apparently be affected thereby. And all such streets, lanes, squares, ways, landings or easements, being so laid out by said Selectmen, and recorded in a book by them kept for that purpose, the damages for the same being at the same time ascertained and recorded; shall be taken and deemed to be public ways and easements, in the same manner as if they were laid before the town, and accepted in legal town meeting, according to the laws now in force. And said Selectmen shall also

All powers exercised by the town in relation to highways, &c. to be exercised by the selectmen.

Selectmen to make a record of streets by them laid out.

May annex to the laying out streets conditions to be performed by owners of lands.

have power to annex to the laying out and establishing of any such streets, ways and easements, any reasonable conditions precedent, to be performed by the owners of land to be benefited thereby, provided the same be not contrary to law. And all persons aggrieved by the doings of said Selectmen in the laying out, or unreasonably refusing to lay out any such street, way or easement, or in the damages awarded for the same, or in the assessment of their proportion of such damages, and all persons to whom damages may in such cases be awarded, shall and may have the like remedies as are now, or may hereafter be, by law provided in like cases.

Selectmen, treasurer and town clerk authorized to regulate licences.

SECT. 4. *Be it further enacted,* That the Selectmen, Treasurer, and Town Clerk, of Portland, shall have power to annex to any license by them hereafter granted to any common victualler, innholder or seller of any strong liquors, any reasonable rules and conditions, not contrary to law, respecting the times, places and manner of using such license, and of transacting business under or by virtue of the same; and to take bonds with one or more sufficient sureties to the inhabitants of Portland, conditioned for the faithful observance of all such rules and conditions, and of all other matters required by law, to be observed and performed by such licensed person. And the said Selectmen, Treasurer and Town Clerk, or the major part of them, may, for just cause declared by them in writing, and after reasonable notice and hearing the party, if he chooses to be heard, at any time, revoke any license by them granted; after which revocation, such license shall have no longer any force or effect. And the Selectmen of Portland, or the major part of them, shall have all the powers aforesaid in relation to licenses to be by them granted for the sale of goods and chattels at public vendue or outcry.

SECT. 5. *Be it further enacted,* That the said Selectmen shall cause all their transactions,

under and by virtue of this Act, to be recorded in a book by them kept for that purpose; and to this end may employ any one of their own number, or the Town Clerk for the time being, or any other person as their clerk, who shall be sworn to the faithful execution of his duty, as other town officers are sworn. And such book shall be, at all reasonable times, open to the inspection of any of the inhabitants of said town.

Selectmen to keep a record of their proceedings.

SECT. 6. *Be it further enacted,* That this Act shall take effect and be in force from and after its acceptance by said town, at a legal meeting of its inhabitants, by vote under an article inserted in the warrant calling such meeting for that purpose: *Provided,* The same shall be accepted within one year from the passage hereof.

This Act not to take effect unless accepted by the town within one year.

CHAP. 56.

AN ACT incorporating the Bath Mutual Fire Insurance Company.

Approved February 28, 1829.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Jonathan Hyde, James McLellan, David Stinson, Samuel G. Bowman, Samuel Davis, William Richardson, Levi Houghton, their associates and successors be, and hereby are constituted a body politic and corporate, by the name of the Bath Mutual Fire Insurance Company, who shall keep their office at Bath, and enjoy all the privileges and powers incident to such corporations.

Persons incorporated.

Office to be kept at Bath.

SECT. 2. *Be it further enacted,* That at all meetings of said corporation, every matter shall be decided by a majority of votes, each member having as many votes as he has policies, with the right

Right of voting.