

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE.

1860.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,  
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1860.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1860.

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CHAP. 382. known as Mitchell's Steam Mills; but the same shall not be extended or located further into the said river than would correspond with a distance or point one hundred and seventy-five feet easterly from the upper wharf now remaining at said mills or mill site.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved February 9, 1860.]

### Chapter 382.

An act additional to an act incorporating the Arkwright Company.

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

Name changed. SECT. 1. The name of said Arkwright Company is hereby changed to that of Androscoggin Company.

Capital stock established, \$1,000,000. SECT. 2. The capital stock of said company is hereby established at one million of dollars, and said corporation may hold real and personal estate to that amount instead of five hundred thousand dollars as provided in the original act.

May hold real and personal estate.

SECT. 3. This act shall take effect when approved by the governor.

[Approved February 9, 1860.]

### Chapter 383.

An act to amend an act entitled "an act to incorporate the city of Biddeford," approved February first, one thousand eight hundred and fifty-five.

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

Sect. 4, act of 1855, amended.

SECT. 1. The fourth section of said act is amended by striking out the word "fifteen" and inserting instead thereof, the words "seventy five," so that said section as amended shall read as follows :

Executive power, how vested.

SECT. 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Biddeford, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers now vested in the inhabitants of said town, and all powers granted by this act, shall be vested in the mayor and aldermen and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other; but all other elections of officers by the city council, shall be by joint

Officers, how elected.

ballot of the two boards in convention. The city council shall annually, on the second Monday of March, or as soon thereafter as conveniently may be, elect and appoint all the subordinate officers and agents for the city for the ensuing year, including a chief engineer and other engineers, for the fire department, which chief engineer, or in his absence any two other engineers, shall have all the power and authority that fire wards now have; shall define their duties and fix their compensation in cases where such duties and compensation shall not be defined and fixed by the laws of this state; and may by concurrent vote remove officers when in their opinion sufficient cause for removal exists. All officers shall be chosen and vacancies supplied for the current year, except as hereinafter otherwise directed. All the said subordinate officers and agents shall hold their offices during the ensuing year, and until others shall be elected and qualified in their stead, unless sooner removed by the city council. All moneys received and collected for and on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalty and sureties from all persons trusted with the receipt, custody or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase and take in the name of the city such real or personal property, not exceeding the sum of seventy-five thousand dollars, including the property now owned by the town as they may think useful to the public interest. And the city council shall as often as once a year cause to be published for the information of the inhabitants a particular account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the treasury unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same was drawn.

SECT. 2. Said act is further amended by striking out the seventh section thereof and enacting and inserting instead thereof the following:

The city council, by itself or by a committee of said council, shall have exclusive power to lay out any new street or public way in said city, and fix the time when the same shall be opened, or widen, or otherwise alter, or discontinue any existing street or public way in said city, and to estimate the damages any person may sustain thereby, and shall be governed by the same rules and regulations as are by law provided in the case of the location,

CHAP. 383.

Subordinate  
officers,  
election of, &c.—how  
removed.

Term of office.

City council,  
duties and  
powers of.Act further  
amended.City council,  
exclusive  
powers of.

**CHAP. 384.**

—remedy of aggrieved party.

alteration or discontinuance of town ways by the selectmen of towns, and any person aggrieved by the decision or judgment of said city council or its committee in its award of damages, shall have the same remedies and be entitled to the same proceedings in order to have them assessed by a committee or jury as are now provided by law in the case of town ways; and the county commissioners for York county, shall have power to lay within said city any part of any new county road that shall by them be laid out in any adjoining town or towns, and shall pass thence into, or through said city according to the provisions of law; and any highway or townway, or bridge, which has been or may hereafter be located within said town or city between high and low water mark, shall nevertheless be deemed to be legally located and established.

Meetings, how called.

—when to be held.

Votes, how returned and counted.

SECT. 3. It shall be the duty of the mayor and aldermen of Biddeford, to call a meeting of the legal voters of said city, in wards, to be held on the second day of April, in the year of our Lord one thousand eight hundred and sixty, in the same manner that the annual meeting of said city is called to give in their votes upon the acceptance of this act; the ballots in favor shall have “yes” upon them, those against “no,” which votes shall be returned to the mayor and aldermen, as in case of elections, and shall be counted by them. If a majority of the ballots have “yes” upon them, the city shall be deemed to have accepted this act; but if a majority of the ballots have “no” upon them, the first and second sections of this act shall not be binding on said city.

[Approved February 9, 1860.]

**Chapter 384.**

An act to incorporate the town of Mattawamkeag.

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

Town of Mattawamkeag, to incorporate.

Powers, privileges, &c.

First meeting, how called.

SECT. 1. Township number one, Indian purchase, east side of the Penobscot river in the county of Penobscot, with its present boundaries, is hereby incorporated into a town by the name of Mattawamkeag; and the inhabitants of said town are hereby vested with all the powers, privileges, immunities and liabilities of inhabitants of other towns.

SECT. 2. Any justice of the peace, within the county of Penobscot, is hereby empowered to issue his warrant to some inhabitant of said town, directing him to notify the inhabitants thereof to meet at such time and place as he shall appoint, to choose such officers