

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1897.

Chapter 352.

An Act extending the charter of the Bangor Boom Company.

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

Sect. 1. The charter of the Bangor Boom Company, with all the rights and privileges and all the responsibilities attaching to said company by virtue of the several acts creating, extending and relating thereto, shall continue and remain in force for twenty years from March, eighteen hundred and ninety-eight, provided, however, that said company shall receive as toll ten cents for each thousand feet, in lieu of twenty cents as provided in chapter seventy-five of the special laws of the year eighteen hundred and eighty-one, in the case therein provided of the work of driving and rafting being done by one contractor, as now done.

Charter extended.

—tolls.

Sect. 2. This act shall take effect when approved.

Approved February 16, 1897.

Chapter 353.

An Act to amend the charter of the City of Augusta.

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

Sect. 1. The city marshal of the city of Augusta shall be appointed by and hold office during the pleasure of the mayor. The city marshal first to be appointed hereunder shall be so appointed within thirty days after this section takes effect and the tenure of office of the city marshal then in office shall thereupon cease. He shall perform all the duties now required by the charter and ordinances of said city, or as the same may be hereafter amended.

City marshal, appointment and tenure.

Sect. 2. The mayor of said city shall appoint all the police officers thereof. Such police force shall consist of such number of regular policemen and special policemen as the city council shall from time to time determine. The regular police officers shall be under the direction of the city marshal and shall perform such police duty as he may require of them, by day or by night; and the marshal may employ one or more of said regular police as a night watch for such periods of time and upon such beats

Mayor shall appoint all police officers.

—number shall be fixed by city council.

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—shall not be all of one political party.

—tenure.

—appointment of special police.

—may be removed by mayor.

—when council shall fix number of police.

—may regulate number of officers.

Mayor shall appoint city solicitor.

—tenure.

—duties.

Mayor shall appoint overseer of poor.

—tenure.

as he may appoint. Not more than a majority of said regular police officers shall at any one time be members of the same political party. Such regular police officers shall hold office during good behavior and until removed as herein provided. The special police officers to be first appointed hereunder shall be appointed by the mayor within thirty days after this section takes effect and thereafterwards annually on the third Monday of March or as soon thereafter as conveniently may be. When said regular or special police officers shall be so first appointed hereunder the terms of all such police officers then in office shall thereupon cease. Any such regular or special police officer, so appointed, may be removed by the mayor for such cause as he shall deem sufficient and shall assign in his order of removal, and the removals shall take effect upon the filing of the order therefor in the office of the city clerk, and the service, of a copy of such order upon the officer removed, either personally or at his last or usual place of residence. The city clerk shall keep such order on file and subject to inspection. Within thirty days after this section takes effect the city council shall fix and determine the number of regular and special police officers of said city, and the mayor shall thereupon make all appointments herein required. The city council may regulate the number of said officers from time to time as the interests of the city may require, and when such members shall be reduced the mayor shall designate the vacancies so caused.

Sect. 3. The city solicitor of said city shall be annually appointed by the mayor. The city solicitor so to be first appointed hereunder shall be so appointed within thirty days after this section shall take effect and thereafterwards annually on the third Monday of March, or as soon thereafter as conveniently may be, and with such first appointment the term of office of the city solicitor then in office shall thereupon cease. He shall perform all the duties now required by the charter and ordinances of said city, or as the same may be hereafter amended.

Sect. 4. The mayor of said city shall, within thirty days after this section takes effect, appoint one overseer of the poor, who shall hold his office until the third Monday in March, in the year nineteen hundred; and thereafterwards, except to fill vacancies, the mayor shall, triennially, appoint on the third Monday in March, or as soon thereafter as conveniently may be, such officer for a term of three years. Such officer, so

appointed, shall perform such duties as may be prescribed by the city council, and shall in general do and perform all the duties and exercise all the powers incumbent upon or vested in overseers of the poor by law. When such overseer shall be so first appointed hereunder, the term of office of all overseers of the poor in said city then in office shall thereupon cease. Such overseer may be removed by the mayor and aldermen after notice and hearing by majority vote. He shall not be directly or indirectly interested in any contract for or furnishing of any pauper supplies and for a violation of this provision he shall be removed from office and, if so removed, he shall thereafter be ineligible for the same office. The fuel, provisions, supplies and such other articles as the nature of the case will admit, purchased for use at the city almshouse and the farm connected therewith, shall be obtained by said overseer upon annual contracts made in writing, and filed with the city clerk, after notice for proposals therefor published in at least two newspapers in said city representing different political parties, such contracts to be awarded to the lowest responsible bidders therefor, reserving, however, the right to reject any or all bids and to advertise anew.

Sect. 5. The care, construction, repair and maintenance of all the streets, roads, ways and bridges in said city is hereby vested in a board of commissioners to be known as highway commissioners. Within thirty days after this section takes effect, the mayor shall appoint three such commissioners, whose terms of office shall expire respectively in one, two and three years from the third Monday of March, in the year of our Lord eighteen hundred and ninety-seven. And annually thereafter the mayor, on the third Monday of March, or as soon thereafter as conveniently may be, shall appoint one such commissioner for a term of three years. In case of a vacancy a like appointment shall be made for the unexpired term thereof. Not more than two members of said board shall be members of the same political party. They shall designate one of their number to act as chairman and another to act as secretary. The secretary shall keep a full record of all of the doings of said board, which record shall at all times be open to public inspection, and he shall make report thereof to the city council quarterly, or as much oftener as ordered, of the work completed or in process of completion, and said city council shall have power to inquire into the action of said commissioners at all times and to require

—removal.

—supplies shall be purchased on contracts.

Highway commissioners shall be appointed by mayor.

—tenure.

—vacancy, how filled.

—shall not all be of same political party.

—chairman.

—secretary and duties.

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—shall hold
monthly
sessions.

—compen-
sation.

—superin-
tendent,
qualifica-
tion, dut-
ies, and
compensa-
tion.

—powers
and duties
of board.

—material
shall be
purchased
on con-
tracts.

of them a full explanation of their doings. They shall be furnished a room by the city where all their records and accounts shall be kept. They shall hold public sessions at least once a month at regular times, at which interested parties may be heard. The secretary shall receive one hundred dollars in full for his service and the other commissioners shall serve without pay. They shall appoint a superintendent of streets who shall be a practical road builder, and who, under the direction of said board, shall perform all the duties incumbent upon the present street commissioners of said city, which offices are hereby abolished, and fix his compensation, which shall not exceed the sum now paid to the two street commissioners of said city. The said board shall have sole charge of the maintenance and repair, according to law, of all streets and public ways in said city of Augusta, including sidewalks and bridges, and of all public sewers and drains, and of the construction, maintenance and repair of all culverts and catch basins hereafter authorized by the city councils; shall have sole charge of the methods of construction and of the construction of all new sewers, streets, sidewalks or bridges hereafter laid out and ordered to be constructed by the city council; shall regulate and control the erection and maintenance of all posts and wires for purposes of electricity; shall establish regulations, and enforce the same, see that the use of said streets by public corporations shall not injure the pavements, grades or construction thereof, or of any municipal structure therein, and shall take general care of all property belonging to the city which pertains to their duties. They are authorized to purchase everything necessary or convenient to conduct the business of their department, to employ all assistants, foremen and laborers, necessary therefor, provided, however, that no indebtedness by contract or otherwise, shall be incurred in excess of the appropriations first voted by the city council and for any violation of this provision they shall be removed from office and thereafter be ineligible to the same. Whenever they shall find it to be more economical to cause any part of their work, for furnishing labor or materials, to be done by private contract, they may make such contracts as hereinafter authorized. All purchases of material exceeding one hundred dollars in amount, shall be made in writing, after notice for proposals therefor published in at least two newspapers in said city representing different political parties, such contracts to be awarded to the lowest

responsible bidder, and all private contracts above authorized shall be so made. They may reserve the right to reject any and all bids and to advertise anew. The city council shall annually appropriate such sums of money as they deem necessary and sufficient for the purposes of said commissioners, not less than three mills upon the valuation of the city for each municipal year, as fixed by the assessors thereof for such year. Such appropriations shall be credited by the city treasurer to said highway commission and he shall pay therefrom all orders thereon drawn by the secretary, and countersigned by the chairman, specifying the appropriation out of which payment is to be made. Annually at the organization of the city council of said city, or as soon thereafter as may be, the mayor shall appoint two members of the board of aldermen, both of whom shall not be members of the same political party, if more than one party is represented in said board, and the president of the common council shall appoint two members of the common council, under like restrictions, who shall, with the mayor, ex-officio, who shall be chairman of said committee, constitute a committee to be called the committee on public works. Said committee shall at the end of every month audit all accounts of said commissioners and make monthly reports to the city council of the progress of the work and of the accounts audited.

The city council may from time to time subject to the provisions of this section, and in accordance with the general laws delegate to said commissioners such additional administrative powers and duties, consistent with the purposes hereof, as the city council may by ordinance determine. No member of such commission shall be directly or indirectly interested in the expenditure of any moneys in said department; any such contract shall be null and void and the offending member shall be summarily removed and be thereafter ineligible to such office.

Sect. 6. The said city is authorized to take and hold real and personal estate, necessary or proper for municipal purposes, not exceeding in aggregate at any one time one hundred and fifty thousand dollars.

Sect. 7. Sections one, two, three, four and five of this act shall not be binding upon said city until accepted by vote of the legal voters thereof as herein provided. Said sections shall be submitted to the qualified voters of the city of Augusta for their acceptance at their annual municipal election in March

—appropriations for.

—committee of public works, appointment and qualification.

—duties.

—additional duties may be imposed city council.

—members shall not be interested in expenditures.

City may hold real and personal estate.

When certain sections shall take effect.

—shall be submitted to voters.

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—meetings
for submis-
sion.

in the year one thousand eight hundred and ninety-seven, or at an election to be specially called and held for the purpose within thirty days after the approval of this act, as the city council of said city may by majority vote determine. Such election, if a special one, shall be called, advertised and conducted according to the law relating to municipal elections. The city clerk shall reduce the subject matter of each section so to be submitted to plain and concise questions so that the voter may indicate by a cross placed against the words "yes" or "no" his opinion on each of the same. Such of the sections so submitted as shall receive the affirmative endorsement of the majority of the qualified voters voting upon the same at such special or annual elections shall thereupon be of full force and effect and otherwise of no force or effect. The result shall be declared by the mayor and aldermen, and due certificate thereof filed by the city clerk with the secretary of state.

—sections
only re-
ceiving en-
dorsement
of voters,
shall take
effect.

Inconsis-
tent acts,
repealed.

Sect. 8. All acts and parts of acts inconsistent hereunto are hereby repealed, and all provisions of the charter and all ordinances of the city of Augusta inconsistent herewith are hereby repealed and declared inoperative and of no effect. But this repeal shall take effect as to the subjects matter covered by sections one, two, three, four and five, only when and so far as those sections are finally adopted by the people as provided in section seven.

When act
shall take
effect.

Sect. 9. Except as qualified by sections seven and eight, this act shall take effect when approved.

Approved February 16, 1897.