

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

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**Chapter 393.**

An Act conferring certain power upon the Trustees of the University of Maine.

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

Section 1. The trustees of the University of Maine are hereby empowered to guarantee loans for the construction, upon the grounds of said university, of society houses, which shall serve as student dormitories, provided that nothing herein contained shall be construed as binding the state of Maine to pay said loans, or any of them, or any part thereof, or any interest thereon; and provided further that no appropriation therefor shall hereafter be asked of the state of Maine.

May guarantee loans for construction of society houses.

Section 2. This act shall take effect when approved.

Approved March 28, 1903.

**Chapter 394.**

An Act to regulate the Police Force of the City of Portland.

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

Section 1. The police force of the city of Portland shall hereafter consist of a chief of police, two captains of police, two police inspectors, not more than four sergeants of police, and not exceeding fifty-five policemen, which officers shall rank in the order named, and a police matron. The mayor shall have power and authority to appoint watchmen to serve without pay from said city, and in the event of any extraordinary demand upon the police force of said city, which demand the police force herein provided for, and the reserve police force authorized by this act are insufficient to meet, the mayor may appoint temporarily as many special policemen as the public needs and safety may require, but the term of office of all watchmen and special policemen thus appointed, shall in no event exceed a period of six months, and the term of office of such special policemen shall not be extended beyond the period of the extraordinary demand for which they were appointed, and all members of the police force mentioned in this section, excepting the police matron, shall have within the limits of the city of Portland, all the common law and statutory powers of constables, except the service of civil process, and all the powers given to watchmen or police officers under the statutes of this state.

Police force, its membership.

—mayor may appoint watchmen.

—special policemen.

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Tenure of  
present  
police force.

Section 2. All policemen now holding office in said city of Portland, excepting watchmen not paid by said city, and special policemen, shall continue in office, and all future appointments of policemen shall be made by the mayor from the reserve force hereinafter created, or from such special policemen who have, previous to the acceptance of this act, as hereinafter provided, been in active service on the police force of said city for a period of more than six months, and who, in the judgment of the mayor, have the requisite qualifications for efficient policemen, and the term of office of each policeman holding under the terms of this act, or by appointment by the mayor, shall be during good behavior of such policeman, or until retired under such pension rules as the city council may from time to time establish, but all policemen not otherwise removed, shall be honorably discharged on arriving at the age of sixty-five years.

—future  
appoint-  
ments, how  
made.

Sergeants of  
police.

Section 3. As soon as may be after the acceptance of this act, as hereinafter provided, the mayor shall appoint from the present regular police force of said city of Portland, as many sergeants of police, not exceeding four, as in his judgment, the needs of the city require, two captains of police, and shall by appropriate rules assign their respective duties, and all future appointments to said offices mentioned in this section, including the filling of vacancies, shall be made by the mayor from the policemen, or from the officers ranking below the office to be filled, and such future appointments shall be made in accordance with such system of promotion as the mayor may establish, and said sergeants and captains shall hold office during good behavior, or until retired under such pension rules as the city council may from time to time establish, but all sergeants and captains not otherwise removed, shall be honorably discharged at the age of sixty-five years. The mayor shall designate two policemen to serve as police inspectors, during his pleasure, who shall resume their duties as policemen when other police inspectors are designated in their places. The mayor shall also appoint a police matron, a resident of Portland, who shall hold office for a term of five years, unless sooner removed by the mayor for cause.

—police  
inspectors.

Chief of  
police.

Section 4. As soon as may be after the acceptance of this act, as hereinafter provided, the mayor shall appoint from the present officers of police, or from the citizens at large a chief of police who shall hold office until the first day of January, in the year of our Lord one thousand nine hundred and five, or until his successor is appointed and qualified, and all future appointments to said office, except to fill a vacancy for an unexpired term, shall be for a term of one year from the first day of Jan-

uary, in each year beginning with the year nineteen hundred and five unless sooner terminated as hereinafter provided or until a successor is appointed and qualified.

Section 5. The mayor shall have full power to make all needful rules and regulations for the government of the police of said city, and enforce said rules and regulations, if necessary, by suspending any policeman, sergeant, captain, or chief of police, for cause, from duty, without pay, for a period not exceeding thirty days, and may remove any of them, also any watchman, at any time for sufficient cause, after notice and public hearing, which cause shall be expressed in the order of removal; and the mayor may, for cause, and after notice and public hearing, reduce any captain or sergeant to a lower grade. The mayor shall also have power to fill any vacancies occurring for any reason in any of the offices mentioned in this act.

Powers of  
mayor.

Section 6. From the men certified by the police examining board of the city of Portland, as possessing the required qualifications and as having successfully passed the competitive examination now required of all candidates for appointment as policemen of said city, the mayor may at any time designate not exceeding ten, in the order of their rank obtained under such competitive examination, beginning with the highest, who shall constitute a reserve police force, and all additions thereafter made to said reserve force shall be made by the mayor as the needs of the police department of said city may require, and in the manner aforesaid, the applicant holding the highest rank under the civil service rules then in effect, being always next in order for promotion to said reserve force, but said reserve force shall at no time consist of more than ten men. The members of said reserve force may be called upon at any time by the chief of police or the mayor to do police duty, and shall have all the power and authority conferred upon policemen by this act, and shall serve on said reserve force at least six months before being eligible to appointment as policemen. Any member may be rejected and his name stricken from said reserve force by the mayor at any time, for unreasonably refusing to go on duty when called on, or after six months of active service, provided the mayor shall have become satisfied that said member does not possess the necessary qualifications of an efficient policeman.

Reserve  
police force.

Section 7. The compensation of the chief of police, captains of police, police inspectors, sergeants, policemen, special policemen, and members of the reserve force, when on duty, and the matron, shall be fixed by the city council, and said compensation having been once fixed shall not be decreased except by action of the city council. The city council shall appropriate such sums annually as may be necessary to carry on efficiently

Compensa-  
tion of police  
force.

CHAP. 394

the work of the police department, the same to be expended under the direction of the mayor, but at no time shall the mayor have authority to create liabilities for the maintenance of the police department in excess of the amount appropriated for that purpose by the city council, or to create any liability for said city for any purpose unless a specific fund for that purpose be first provided by appropriation, or otherwise, by the city council.

Inconsistent  
acts, repealed.

Section 8. All acts and parts of acts and ordinances and by-laws of the city of Portland, in so far as they are inconsistent with this act, except as hereinafter provided, are hereby repealed, but all the powers of the police of the city of Portland as now organized, and the authority of the mayor and board of aldermen over the same shall continue in full force until the appointment and organization of the police under this act, and all rules and regulations established by the mayor and board of aldermen governing the police of said city of Portland shall continue in force until new rules and regulations are established by the mayor under the provisions of this act.

Legal voters  
shall vote on  
acceptance  
of this act.

Section 9. At the annual municipal election following the passage of this act, the legal voters of the city of Portland shall be called upon to give in their votes upon the acceptance of this act at meetings in the several wards in said city, duly warned by the mayor and aldermen. The vote shall be taken upon the same ballot on which the votes are given for the municipal and ward officers and shall be in answer to the following question: Shall the act passed by the legislature of the state of Maine, in the year nineteen hundred and three, entitled "An Act to regulate the police force of the city of Portland," be accepted? Those in favor of the acceptance of said act shall vote "Yes," and those opposed, "No." The same proceedings shall be had for the sorting, counting, declaring and recording of the returns of said votes as is provided for the election of mayor, and the board of aldermen shall at the time it canvasses the returns of the votes of the several wards for mayor, compare the returns of the several ward officers of the votes upon the question of the acceptance of this act; and if it appears that a majority of the votes given upon the acceptance of this act are in favor thereof, the mayor shall be so notified and shall forthwith make proclamation of the fact, and this act shall thereupon take full effect.

Section 10. So much of this act as authorizes the submission of the question of its acceptance to the legal voters of the city of Portland, shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of said city as hereinbefore provided.

Approved March 28, 1903.