

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Seventh
Legislature

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to Foxcroft, the bodies and remains of all deceased persons buried therein, and all head-stones and markers at the graves therein, and remove the said bodies and remains to Elmwood cemetery, in said town, and there decently inter the same, and properly reset such head-stones and markers over such dead bodies and remains at the expense of said town.

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Approved March 17, 1915.

Chapter 98.

An Act to Extend the Charter of the Brewer Water Company, as Extended and Amended by Chapter One Hundred Seventy of the Private and Special Laws of Nineteen Hundred Thirteen.

Be it enacted by the People of the State of Maine, as follows:

All the rights, powers and privileges of the Brewer Water Company which were granted by chapter three hundred nine of the Private and Special Laws of nineteen hundred nine and as extended and amended by chapter one hundred seventy of the Private and Special Laws of nineteen hundred thirteen are hereby extended for two years from the twenty-fourth day of March, nineteen hundred fifteen; and the persons named in said act and amendment, their associates, successors and assigns, shall have all the rights, powers and privileges that were granted them by said act and amendment, to be exercised in the same manner and for the same purpose as specified in said act.

Charter extended for two years' period.

Approved March 17, 1915.

Chapter 99.

An Act to Abolish the Office of City Solicitor of the City of Portland and to Create the Office of Corporation Counsel for the City of Portland, and to Determine His Duties, Tenure of Office and Salary.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The office of city solicitor of the City of Portland shall be abolished upon this act taking effect.

—office abolished.

Section 2. Upon this act taking effect, the mayor shall appoint a corporation counsel for the city of Portland to serve for the term of five years, and thereafter his successors in office shall be appointed by the mayor for the term of five years; provided, however that any corporation counsel may be removed from office for inefficiency, by the mayor with the approval of the aldermen, after a hearing before the mayor and aldermen. No person shall be appointed to said office who shall not have

Mayor shall appoint a corporation counsel for five years' term subject to removal for causes.

—qualifications.

- CHAP. 99 been admitted as an attorney and counselor of the courts of the State and have been in the active practice of law for at least three years. Should a vacancy occur in the office of corporation counsel, before the expiration of a term, the mayor may, by appointment, fill said vacancy for the unexpired portion of said term. Each corporation counsel shall hold office until his successor shall have been appointed and qualified. The present city solicitor shall be eligible to appointment under the provisions of this section and, if appointed, his term of office shall begin from the time this act takes effect.
- filling of vacancy.
- present city solicitor eligible.
- devote entire time to work.
- Section 3. Said corporation counsel shall be furnished a suitable office in the city hall. He shall give his entire time, during the hours when other offices in said city hall are open for the transaction of the city's business on secular days, to the duties of his office, and shall receive as compensation therefor an annual salary of twenty-five hundred dollars, payable in equal monthly installments, together with an allowance for clerk hire, the amount to be fixed and determined by the city council.
- compensation.
- duties of counsel.
- Section 4. It shall be the duty of said corporation counsel, by himself or by some other person by him duly authorized, for whose conduct, skill and faithfulness he shall be accountable, to draft all bonds, deeds, obligations, contracts, leases, agreements, and other legal instruments of whatever nature, which may be required of him by ordinance or order of the mayor and aldermen, or of the city council, or which by any ordinance or order may be requisite to be done and made by the city of Portland, and which by law, usage, or agreement, the city is to be at the expense of drawing. The corporation counsel shall have the right to employ, at the expense of the city, counsel to assist him in cases of emergency and when, in the opinion of the corporation counsel and the mayor, such assistance is deemed to be for the benefit of the city; provided, however, that the mayor shall approve such request for assistance.
- right to employ counsel to aid, when necessary.
- Section 5. It shall be the duty of said corporation counsel to commence and prosecute all actions and suits to be commenced by the city, before any tribunal in this State, whether in law or equity and also to appear and defend and advocate the rights and interests of the city, or any of the officers of the city, in any suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinances or acts of the city government, or any breach of any ordinance, may be brought into question. And said corporation counsel shall also appear before the Legislature of this State, or any committee thereof, and there, in behalf of the city, repre-
- further duties.
- shall prosecute and defend cases in interest of city.
- shall appear before Legislature when necessary.

sent, answer for, defend and advocate the interests and welfare of said city, whenever the same may be directly or incidentally affected, whether to prosecute or defend the same; and he shall in all matters do all and every professional act, incident to the office, which may be required of him by the city government, or by any joint or special committee thereof, or by any ordinance or order; and he shall, when required, furnish the mayor and aldermen, the common council, or any joint or special committee of either branch thereof, and to any officer of the city government, who may require it in the official discharge of his duties, with his legal opinion on any subject touching the duties of their respective offices.

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--shall furnish legal opinion.

Section 6. Whenever the written opinion of the corporation counsel is required by the city council, or either branch thereof, or by any committee or officer of the city, the corporation counsel shall furnish a copy of his written opinion to the city clerk, and the city clerk shall cause the same to be filed and indexed in his office, and the same shall also be filed and indexed in the office of the corporation counsel.

--shall furnish written opinion to city clerk.

Section 7. It shall be the duty of said corporation counsel, annually, in the month of January, to report in writing to the city council all the unfinished business in his department, including the names, grounds, stages of progress of all suits pending in which the city is a party or is interested; with the names and results of such suits affecting the city as may have been decided or adjusted during the year, and such other information as to the business of his department as he may think important, or the city council may direct; which report shall be published with the other reports to be made to the city council.

--report annually to city council.

Section 8. In all acts, parts of acts, orders, and ordinances, of the city of Portland, wherever the words "city solicitor" are used, said words "city solicitor" are to be construed as meaning "corporation counsel."

--corporation counsel shall be substituted for city solicitor.

Section 9. All acts and parts of acts and ordinances of the city of Portland which relate to, or contain provisions for, the time or method of election of, or term of office of, a city solicitor or the city of Portland, which are inconsistent herewith, are hereby repealed.

--inconsistent acts repealed.