

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

---

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

---

THE LEWISTON JOURNAL CO.  
LEWISTON, MAINE  
1917

---

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth  
Legislature

1917

---

## CHAP. 184

ed as members of said police reserve force shall serve during the pleasure of the mayor and aldermen.

**Sec. 3. Injuries to reserve police.** Any member of said police reserve who may be injured while on police duty shall be entitled to the benefits of "The Workmen's Compensation Act."

**Sec. 4. Organization.** The mayor, with the advice and consent of the aldermen, may appoint necessary captains and other commanding officers for said police reserve, below the rank of chief of police. Any member of the regular police force who may be appointed to act as an officer in said reserve shall retain his position on the regular force.

**Sec. 5. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

---

---

## Chapter 184.

An Act to Amend the Charter of the City of Hallowell.

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

**Sec. 1. Election to be held in December instead of in March; tenure of office; provisos.** The municipal election for the choice of mayor, aldermen, city constables, and such other officers as may hereafter be elected at large, of the city of Hallowell, and of wardens and ward clerks of the several wards in said city, shall be held on the second Monday of December, annually, beginning with the year nineteen hundred seventeen, instead of on the first Monday of March. Said officers chosen at any annual election and all subordinate officers or agents for the city now elected or appointed for a term of one year (not including the city marshal and street commissioner) shall hold their offices one year from the first Monday of January next following said election, and until others shall be elected or appointed and qualified in their places, subject to removal as now provided by the charter and ordinances of said city; except that those chosen at the election held on the first Monday of March in the year nineteen hundred seventeen and said subordinate officers or agents shall hold their offices from the second Monday of March in the year nineteen hundred seventeen until the second Monday of March in the year nineteen hundred eighteen, and until their successors are elected or appointed and qualified in their places; provided, however, that if section two of this act shall be accepted, as hereinafter provided, by the electors of said city, then the municipal election shall be held biennially, instead of annually, beginning with the second Monday of December in the year nineteen hundred seventeen, and the aforesaid officers chosen at any biennial election and said subordinate officers or agents shall hold their offices two years from the first Monday of January next following said biennial election, and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid; except that those chosen at the election held on the first Monday

**CHAP. 184**

of March in the year nineteen hundred seventeen and said subordinate officers or agents shall hold their offices from the second Monday of March in the year nineteen hundred seventeen until the second Monday of March in the year nineteen hundred eighteen, and until their successors are elected or appointed and qualified in their places.

**Sec. 2. Biennial elections; proviso.** The municipal election for the choice of mayor, aldermen, city constables, and such other officers as may hereafter be elected at large, of the city of Hallowell, and of wardens and ward clerks of the several wards in said city, shall be held once in two years instead of annually, and all subordinate officers or agents for the city, now elected or appointed for a term of one year (not including the city marshal and street commissioner) shall be elected or appointed, in the manner now provided therefor, and all vacancies in such offices filled for a term of two years and until others shall be elected or appointed and qualified in their places; anything in the charter or ordinances of said city of Hallowell to the contrary notwithstanding, but said subordinate officers or agents shall be subject to removal as now provided by said charter and ordinances. If section one of this act shall be accepted by the electors of said city, said officers chosen at the municipal election held on the first Monday of March in the year nineteen hundred seventeen and all said subordinate officers or agents shall hold their offices from the Monday following said municipal election until the second Monday of March in the year nineteen hundred eighteen and until their successors are elected or appointed and qualified in their places, and thereafter the municipal election shall be held on the second Monday of December biennially, beginning with the second Monday of December in the year nineteen hundred seventeen, and said officers chosen at any biennial December election and all said subordinate officers or agents shall hold their offices, except as above provided, two years from the first Monday of January following said municipal election and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid. If said section one shall not be accepted by the electors of said city, then the municipal election shall be held on the first Monday of March in the year nineteen hundred seventeen and biennially thereafter on the first Monday of March, and said officers chosen at any biennial March election beginning with the March municipal election in the year nineteen hundred seventeen, which in such case is deemed the first biennial election, and all said subordinate officers or agents shall hold their offices two years from the Monday following said first biennial election, and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid.

**Sec. 3. City marshal and street commissioner, appointment, tenure, vacancy, proviso.** The city marshal and street commissioner for said city shall be appointed by the mayor and such appointments shall be made and take effect as soon as convenient after the beginning of the mayor's term of office, not exceeding a period of one month, and said officers shall hold their respective offices during the term for which the mayor was elected, and until others are respectively appointed and qualified in their places, subject to removal by the mayor at his pleasure; and the mayor shall have

**CHAP. 184**

and exercise the same power of appointment to fill any vacancy from any cause in either of said offices, but any person so appointed to fill a vacancy from any cause other than expiration of the term of office, shall hold said office during the unexpired term of his predecessor, subject to removal by the mayor at his pleasure. Provided, however, that the city marshal and street commissioner elected at the municipal election held on the first Monday of March in the year nineteen hundred seventeen shall hold their respective offices from the Monday following said election to the second Monday of March in the year nineteen hundred eighteen, and until others are appointed and qualified in their places.

**Sec. 4. Referendum as to sections one, two and three; form of questions and ballot; warrant, how prepared.** Sections one, two and three of this act shall take effect only when accepted, as hereinafter provided, by the electors of said city. Said sections shall be submitted to be voted upon by the qualified electors of said city at a meeting to be called, advertised and conducted according to the law relating to biennial meetings for the election of senators and representatives, on the second Monday of September following the passage of this act. The ballots to be used in said meeting shall be prepared by the city clerk and furnished by the city and in such form as to permit each of said first three sections of this act to be voted on separately by an expression of the voter's opinion on the following three questions relating respectively to said first three sections of this act:

I. Shall the municipal elections, in the city of Hallowell for the election of mayor, aldermen, constables, other officers at large and ward officers henceforth be held on the second Monday of December in order that the municipal year may begin on the first Monday of January?

II. Shall the mayor, aldermen, constables, other officers at large and ward officers, be elected and subordinate officers and agents be elected or appointed, biennially to hold office for the term of two years?

III. Shall the city marshal and street commissioner be appointed by the mayor, to serve through the mayor's term of office, subject to removal by the mayor at his pleasure?

Opposite and to the right of each of said questions shall be printed the two words "Yes" and "No" with the usual squares in which the voter is to mark in the manner required by law to express his opinion. Other brief and suitable explanation of the subject matter submitted may be printed on the ballots which in other respects shall conform with all the requirements of law. Such of the sections so submitted as shall receive more affirmative than negative votes at said meeting shall be deemed to have been accepted and shall thereupon be in full force and effect. The result of said meeting shall be declared by the mayor and aldermen, and due certificate thereof filed with the city clerk and with the secretary of state. A printed copy of the full text of the first four sections of this act shall be posted with each notice of said meeting, and two copies shall be kept posted in each voting place in said city during said meeting.

**Sec. 5. P. & S. L., 1850, c. 413, § 3, as amended, further amended.** Section three of chapter four hundred thirteen of the private and special laws of eighteen hundred fifty, entitled "An act to incorporate the city of Hallo-

**CHAP. 184**

well, as amended by chapter thirty-one of the private and special laws of eighteen hundred ninety-nine," is hereby amended by striking out all of said section after the word "vote", in the fourteenth line thereof and by adding the words, 'He shall receive from the city no compensation other than his salary for any service by him rendered in any other capacity or agency'; so that said section as amended shall read as follows:

**'Sec. 3. Duties and powers of mayor.** The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced, to exercise a general supervision over the conduct of all subordinate officers, and to cause their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen, when in his opinion the interests of the city require it, by a notice in one or more of the papers printed in this city, or by causing a summons or notification to be given in hand or left at the usual dwelling place of each member of the board. He shall from time to time communicate such information and recommend such measures as the business interests of the city may in his opinion require. He shall preside in the board of aldermen, but shall have only a casting vote. He shall receive from the city no compensation other than his salary for any service by him rendered in any other capacity or agency.'

**Sec. 6. P. & S. L., 1850, c. 413, §4, as amended by P. & S. L., 1887, c. 148, and P. & S. L., 1899, c. 31, further amended.** Section four of said chapter four hundred thirteen of the private and special laws of eighteen hundred fifty, as amended by chapter one hundred forty-eight of the private and special laws of eighteen hundred eighty-seven, and by chapter thirty-one of the private and special laws of eighteen hundred ninety-nine, is hereby amended by striking out the word "fifty" in the thirty-fourth line thereof and inserting the words 'five hundred' in place thereof, and by adding to said section the following: 'Neither the mayor nor any member of the city council shall be elected or appointed during his official term, to any other office under the city government or as agent of the city for any purpose,' so that said section as amended shall read as follows:

**'Sec. 4. Purchasing power increased; other city offices incompatible; subject to modification.** The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Hallowell, 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. 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, except city marshal and street commissioner, for the ensuing year, including a chief engineer and other engineers of the fire department, which chief engineer, or in his absence any two other engineers shall have all 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

## CHAP. 184

laws of this state; and may remove any officer 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 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 no moneys shall 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 and disbursement of moneys; 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 five hundred thousand dollars, including the property now owned by the town, as they may think useful to the public interest. The fiscal year shall end on the thirty-first day of December in each year. And the city council shall as often as once a year, before the first day of February, cause to be published for the information of the inhabitants, an account of receipts and expenditures and a schedule of the city property for said year, 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 appropriations under which the same is drawn. Neither the mayor nor any member of the city council shall be elected or appointed during his official term, to any other office under the city government or as agent of the city for any purpose.'

This section is subject, however, to necessary modification according to section nine of this act.

**Sec. 7. P. & S. L., 1850, c. 413, § 11, amended.** Section eleven of said chapter four hundred thirteen of the private and special laws of eighteen hundred fifty is hereby amended by striking out the word "District" in the nineteenth line thereof and inserting the word 'Superior' in place thereof and by adding thereto the following: 'And said court shall also have original and exclusive jurisdiction of all offenses arising within said city now cognizable by said court, and concurrent jurisdiction with the municipal court of the city of Augusta and the Gardiner Municipal Court, of all such offenses arising within the town of Chelsea'; so that said section as amended shall read as follows:

**'Sec. 11. Superior court jurisdiction in appeals; original and exclusive jurisdiction in city; concurrent jurisdiction in Chelsea.** A police court shall be, and hereby is, established, in and for the city, to be denominated the municipal court of the city of Hallowell, to consist of one judge who shall be appointed and commissioned in the manner provided in the constitution, who shall have concurrent jurisdiction with justices of the peace, in all matters civil and criminal, under twenty dollars, within the county of Kennebec, and original and exclusive jurisdiction in all civil actions in which both parties interested, or in which the party, plaintiff, and the per-



**CHAP. 184**

son or persons summoned as trustees shall be inhabitants of or residents of said city of Hallowell, excepting all actions in which said judge may be interested; and said court shall also have concurrent jurisdiction with justices of the peace and quorum in all cases of forcible entry and detainer, arising in said county, and original and exclusive jurisdiction in all such cases arising in the city, and shall also have original and exclusive jurisdiction of all violations of the by-laws of said city. And any person aggrieved by any judgment awarded by said court may appeal therefrom to the superior court for said county, in like manner as if the same had been awarded by any justice of the peace, or justices of the peace and quorum. And said court shall also have original and exclusive jurisdiction of all offenses arising within said city now cognizable by said court, and concurrent jurisdiction with the municipal court of the city of Augusta and the Gardiner Municipal Court, of all such offenses arising within the town of Chelsea.'

**Sec. 8. P. & S. L., 1850, c. 413, § 20, as amended by P. & S. L., 1899, c. 31, further amended.** Section twenty of said chapter four hundred thirteen of the private and special laws of eighteen hundred and fifty, as amended by chapter thirty-one of the private and special laws of eighteen hundred and ninety-nine, is hereby amended by striking out the words, "he shall give notice in one or two of the papers printed in said city of the time and place of regular ward meetings"; so that said section as amended shall read as follows:

**'Sec. 20. Provision as to publication of ward meetings repealed.** The city clerk shall be the clerk of the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen; and shall perform all duties, and exercise all the powers by law incumbent upon or vested in, the town clerk of the town of Hallowell; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president pro tempore, who shall preside at meetings of the board. The board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business, shall consist of a majority of the members thereof; all meetings of the aldermen shall be open and public, and the presiding officer shall have the power of moderators of town meetings. At any of said meetings, when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.'

**Sec. 9. Inconsistent statutes modified to conform; proviso.** All acts and parts of acts inconsistent herewith, and all provisions of the charter and ordinances of the said city of Hallowell inconsistent with this act are hereby modified so as to conform to the provisions of this act; substituting therein for the words "first Monday in (or of) March" the words "second Monday of December," and for the words "second Monday in (or of) March" the words "first Monday of January," and for the words "annual" or "annually" the words "biennial" or "biennially," and for the words "one

## CHAP. 185

year" the words 'two years,' and striking out the words "city marshal" and the words "street commissioner," wherever such substitution or striking out is necessary to effect the intent of this act. But this section shall take effect as to the subject matter covered by sections one, two, and three, of this act when and only so far as said first three sections or any part of them are finally accepted by the electors of said city of Hallowell, as provided in section four of this act.

Approved April 6, 1917.

## Chapter 185.

An Act to Amend Section Two of Chapter Two Hundred and Four of the Private and Special Laws of Eighteen Hundred and Eighty-three, as Amended by Section One of Chapter One Hundred and Nineteen of the Private and Special Laws of Nineteen Hundred and Three, Increasing the Jurisdiction of the Municipal Court of the City of Westbrook.

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

P. & S. L., 1883, c. 204, § 2, as amended by P. & S. L., 1903, c. 119, § 1, further amended. Section two of chapter two hundred and four of the private and special laws of eighteen hundred and eighty-three in relation to the jurisdiction of the municipal court of the city of Westbrook, as amended by section one of chapter one hundred and nineteen of the private and special laws of nineteen hundred and three, is hereby amended by striking out the word "twenty" in line six and inserting in its place the word 'fifty' and by striking out the word "fifty" in line eleven and inserting in its place the words 'two hundred,' so that said section as amended shall read as follows:

**'Sec. 2. Original exclusive jurisdiction increased to \$50 and original concurrent jurisdiction increased to \$200, in civil actions.** Said court shall have exclusive, original jurisdiction of all offenses against the ordinances and by-laws of said city, and of the local board of health therein, and of such criminal offenses and misdemeanors committed therein, as are cognizable by trial justices; and of all civil actions wherein the debt or damage demanded does not exceed fifty dollars, and both parties reside in said city, except when the judge of said court is interested in any such action as party or attorney; and original jurisdiction concurrent with the superior court of the county of Cumberland in all civil actions wherein the debt or damages do not exceed two hundred dollars, exclusive of costs, in which any party to the action or person summoned as trustee shall reside, or, if not an inhabitant of the state, shall be commorant or have a place of business, in said city.'

Approved April 7, 1917.