

# MAINE STATE LEGISLATURE

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# Sixty-Fourth Legislature.

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HOUSE.

No. 201.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-NINE.

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AN ACT to incorporate the city of Westbrook.

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

SECTION 1. The inhabitants of the town of Westbrook,  
2 in the county of Cumberland, shall, in case of the  
3 acceptance of this act by the voters of said town, as  
4 hereinafter provided, continue to be a body politic and  
5 corporate under the name of the city of Westbrook, and  
6 as such shall have, exercise and enjoy all the rights, im-  
7 munities, powers, privileges and franchises, and shall be  
8 subject to all the duties and obligations now appertaining  
9 to, or incumbent upon said town as a municipal cor-  
10 poration, or appertaining to or incumbent upon, the  
11 inhabitants or selectmen thereof; and may ordain and  
12 publish such by-laws, ordinances and regulations, not in-  
13 consistent with the constitution and laws of this State, as  
14 shall be needful to the good order of said body politic;

15 and impose fines and penalties for the breach thereof,  
16 not exceeding twenty dollars for any one offence which  
17 may be recovered to the use of said city, by action of  
18 debt, or on complaint before the municipal court of said  
19 city.

SECT. 2. The government of said city, with the ad-  
2 ministration of all its fiscal, prudential and municipal  
3 affairs shall be vested in one principal magistrate, to be  
4 called the Mayor, and in one council of thirteen, to be  
5 called the city council, the members whereof shall be  
6 called aldermen. The general management and control  
7 of the public schools and of the school property shall be  
8 vested in a school committee to consist of ten members.

SECT. 3. For the purpose of holding elections, the ter-  
2 ritory of said city shall, as soon as may be after the first  
3 election under this act, be divided by ordinance by the  
4 city council into five wards to contain as near as may be  
5 consistently with well-defined limits, an equal number of  
6 legal voters; and it shall be the duty of the city council  
7 once in ten years, and not oftener than once in five years,  
8 to review, and, if it be needful, to alter such wards in  
9 such manner as to preserve as nearly as may be, an equal  
10 number of legal voters in each ward.

SECT. 4. The mayor, the city clerk, and three alder-  
2 men shall be elected from the citizens at large, by the  
3 legal voters of the city voting in their respective wards.  
4 Two aldermen, two members of the school committee, a  
5 warden, a ward clerk and one constable shall be elected  
6 by each ward, being residents in the ward where elected.  
7 All of said officers shall be elected by ballot by a plurality  
8 of the votes given, and shall hold their offices one year

9 from the second Monday in March, and until others shall  
10 be elected and qualified in their places. All city and ward  
11 officers shall be held to discharge the duties of their respec-  
12 tive offices, notwithstanding their removal after their elec-  
13 tion, into any other wards in the city; but they shall not  
14 be so held after they have taken up their permanent resi-  
15 dence out of the city.

SECT. 5. The municipal elections after the first, shall  
2 take place annually, on the first Monday in March. All  
3 meetings of the citizens for municipal purposes shall be  
4 notified and called in their respective wards, by the mayor  
5 and aldermen, in the manner provided by the laws of this  
6 State for notifying and calling town meetings by the  
7 selectmen of the several towns. The wardens shall pre-  
8 side at all ward meetings, with the powers of moderators  
9 at town meetings; and if at any ward meeting the warden  
10 shall not be present, the clerk shall preside till a warden,  
11 *pro tempore*, shall be chosen. If neither the warden or  
12 clerk is present, any legal voter in the ward shall preside  
13 till a clerk, *pro tempore*, shall be chosen and qualified.  
14 The legal voters in each ward may choose two persons to  
15 assist the warden in receiving, sorting and counting votes.

SECT. 6. Whenever two or more persons are to be  
2 elected to the same office, the several persons up to the  
3 number to be chosen, receiving the highest number of  
4 votes, shall be deemed and declared to be elected. If it  
5 shall appear that there is no choice of mayor, or any  
6 of the other officers to be elected from the citizens at  
7 large, or from any of the several wards, or if the person  
8 elected mayor, or any person or persons elected to any  
9 other of the offices aforesaid, shall refuse to accept the

10 office, or shall die before qualifying, or if a vacancy in the  
11 office of mayor shall occur subsequently, and more than  
12 three months previous to the expiration of the municipal  
13 year, warrants shall forthwith be issued for a new election,  
14 and the same proceedings shall be had in all respects as  
15 hereinbefore provided, and shall be repeated until such  
16 election is completed. A vacancy occurring in the office  
17 of city clerk by death, resignation or removal from the  
18 city, shall be filled for the unexpired term by election by  
19 the city council.

SECT. 7. All meetings for the election of national,  
2 State and county offices, shall be notified and warned, and  
3 conducted in the manner provided by the constitution and  
4 laws of the State.

SECT. 8. General meetings of the citizens qualified to  
2 vote may, from time to time, be held to consult upon the  
3 public good, to instruct their representatives and to take  
4 all lawful measures to obtain redress for any grievances  
5 according to the right secured to the people by the Consti-  
6 tution of this State; and such meeting shall be duly warned  
7 by the mayor upon the request of fifty qualified voters.

SECT. 9. The mayor elect, and the aldermen elect, shall  
2 annually, on the second Monday in March, at ten o'clock  
3 in the forenoon, meet and be sworn to the faithful dis-  
4 charge of their duties. The oath shall be administered at  
5 their first meeting after the acceptance of this act, by the  
6 town clerk or any justice of the peace, and in subsequent  
7 years, by the city clerk or any justice of the peace, and  
8 shall be duly certified on the journal of the city council.  
9 The city clerk shall be sworn by the city clerk of the  
10 previous year or any justice of the peace. In case of the

11 absence of the mayor-elect on the second Monday in  
12 March, or if a mayor shall not then have been elected,  
13 the oath of office may at any time thereafter, be admin-  
14 istered to him in the presence of the city council; and  
15 at any time thereafter in like manner the oath of office  
16 may be administered to any member of the city council  
17 who has been previously absent, or has been subsequently  
18 elected; and every such oath shall be duly certified as  
19 aforesaid.

SECT. 10. After the oath has been administered to the  
2 aldermen present, they shall be called to order, at their  
3 first organization, by the town clerk, and in subsequent  
4 years by the city clerk, or, in case of the absence of the  
5 clerk, by the oldest member present. The person so call-  
6 ing the city council to order shall proceed to call the roll  
7 of members, and each member shall declare his choice for  
8 president of the city council who shall be a member  
9 thereof. If no quorum is present an adjournment shall  
10 be taken to a later hour, or to the next day, and thereafter  
11 the same proceedings shall be had from day to day, until  
12 a quorum shall be present. If any person receive a  
13 majority of the votes of all the members of the city  
14 council present such person shall be declared chosen  
15 president thereof. If in the first day on which a quorum  
16 is present no person receives such majority, the roll-call  
17 shall be repeated until some person receives the vote of  
18 such majority, or an adjournment is taken to the succeed-  
19 ing day, and in such succeeding day when a quorum is  
20 present, a plurality of those voting shall be sufficient for  
21 an election. The president may be removed from office  
22 by the affirmative oath of ten members of the city council

23 taken by roll-call. The city clerk shall be *ex-officio*, clerk  
24 of the city council and shall keep a journal containing a  
25 record of the proceedings of the city council and a record  
26 at large of all oaths taken by roll-call, and shall sign and  
27 attest all ordinances and resolutions of the city council.

SECT. 11. The mayor may at any time call a special meet-  
2 ing of the city council, by causing written notification thereof,  
3 together with a statement of the subjects to be considered  
4 thereat, to be left at their usual place of residence of each  
5 member of the city council, at least twenty-four hours  
6 before the time appointed for such meeting.

SECT. 12. The city council shall determine the rules of  
2 its own proceedings, and be the judge of the election re-  
3 turns and qualifications of its own members. In case of  
4 the absence of the president, the city council shall choose  
5 a president *pro tempore*, and a plurality of the votes cast  
6 shall be sufficient for a choice. The vote of the city coun-  
7 cil upon any question shall be taken by roll-call, when  
8 the same is requested by at least three members. A  
9 majority of all the members of the city council shall  
10 constitute a quorum, but a smaller number may adjourn  
11 from day to day. The city council shall, so far as not  
12 inconsistent with this act, have and exercise all the  
13 legislative powers of towns, and have all the powers, and  
14 be subject to all the liabilities of city councils, and either  
15 branch thereof under the general laws of this State. The  
16 city council shall by ordinance determine the time of hold-  
17 ing its stated or regular meetings; and may, also, in like  
18 manner, determine the manner of calling special meetings  
19 of its members in addition to those which may be called  
20 by the mayor.

SECT. 13. The city council shall as soon as may be  
2 after its organization in each year, choose an auditor of  
3 accounts, who shall hold office for the term of one year,  
4 and until his successor is chosen and qualified. A majority  
5 of the votes of all the members of the city council, taken  
6 by roll-call, shall be necessary for the choice of such au-  
7 ditor; and he may be removed by an affirmative vote of  
8 a majority of all the city council taken by roll-call.

SECT. 14. The city council shall, with the approval of  
2 the mayor have exclusive authority to lay out, widen or  
3 otherwise alter, or discontinue any and all streets or pub-  
4 lic ways in said city with or without petition therefor, and  
5 to estimate all damages sustained by the owners of land  
6 taken for that purpose. A standing committee of five  
7 members of the city council shall be appointed by its  
8 president whose duty it shall be to lay out, alter, widen,  
9 or discontinue any street or way in said city, first giving  
10 notice of the time and place of their proceedings to all  
11 parties interested, as now required by law in case of town  
12 ways. The committee shall first hear all parties inter-  
13 ested, and then determine and adjudge whether the public  
14 convenience requires such street or way to be laid out,  
15 altered, or discontinued, and shall make a written return  
16 of their proceedings, signed by a majority of them, con-  
17 taining the bounds and description of the street or way,  
18 if laid out or altered, and the names of the owners of the  
19 land taken, when known, and the damages allowed there-  
20 for; the return shall be filed in the city clerk's office, at  
21 least seven days previous to its acceptance by the city  
22 council; and no street or way shall be altered, estab-  
23 lished or discontinued until the report is accepted by the



24 city council. The committee shall estimate and report  
25 the damages sustained by the owners of the lands adjoin-  
26 ing that portion of the street or way which is so discon-  
27 tinued; their report shall be filed with the city clerk seven  
28 days at least before its acceptance. Any person aggrieved  
29 by the decision or judgment of the city council in estab-  
30 lishing, altering or discontinuing any streets or ways in  
31 said city, may, so far as relates to damages appeal there-  
32 from as in the case of town ways.

SECT. 15. The city council may lay out, maintain and  
2 repair all main drains or common sewers in said city, and  
3 may assess upon the owners of the abutting lots and other  
4 lots benefited thereby, and who shall enter the same  
5 directly or indirectly, a proportional part of the charges  
6 of making such drain or common sewer, to be ascertained  
7 and assessed by said city council, and by them certified  
8 after notice thereof in writing to the party to be charged,  
9 or by public notice in some newspaper printed in said  
10 county of Cumberland seven days at least before such  
11 assessment is made; but not less than one-third part of  
12 the cost of such main drain or sewer shall be paid by the  
13 city, and shall not be charged to the abutters. All  
14 assessments so made shall constitute a lien on the real  
15 estate so assessed, for two years after they are laid.  
16 They shall be certified by the city council to the collector  
17 of said city and his successors, with directions to collect  
18 the same according to law, and may, together with inci-  
19 dental costs and expenses, be levied by sale of such real  
20 estate if the assessment is not paid within three months  
21 after written demand of payment—such sale to be con-  
22 ducted in the same manner as is provided in the general

23 laws of this State in case of non-payment of taxes by  
24 resident owners, and with a similar right of redemption.  
25 Any person who may deem himself aggrieved by such  
26 assessment may appeal therefrom in like manner and with  
27 like proceedings as are provided by the general laws of  
28 this State in case of town ways. In case the assessment  
29 made by the city council shall not be reduced on such  
30 appeal, the city shall recover costs, but otherwise shall  
31 pay costs.

SECT. 16. In case any ordinance, order, resolution or  
2 vote involves the appropriation or expenditure of money,  
3 to an amount which may exceed one hundred dollars, the  
4 laying of an assessment or the granting to a person or  
5 corporation of any right in, over or under any street or  
6 other public ground of said city, the affirmative votes of  
7 a majority of all the members of the city council shall be  
8 necessary for its passage. Every such ordinance, order,  
9 resolution or vote shall be read twice, with an interval of  
10 at least three days between the two readings, before being  
11 finally passed, and the vote upon its final passage shall be  
12 by roll call.

SECT. 17. Every ordinance, order, resolution or vote  
2 of the city council, except such as relates to its own inti-  
3 mate affairs, to its own officers or employes, to the elec-  
4 tion or duties of the auditor of accounts, to the removal  
5 of the mayor, or to the declaration of a vacancy in the  
6 office of mayor, shall be presented to the mayor for  
7 approval. If not approved by him, he shall return it,  
8 with his objections, at the next session of the city council,  
9 and the city council shall cause such objection to be  
10 entered at large upon its journal, and shall proceed to

11 reconsider the same. If upon such reconsideration it  
12 shall be passed by a two-thirds vote of all the members  
13 of the city council, it shall have the same effect as if  
14 signed by the mayor. In case of a vacancy in the office  
15 of mayor when such ordinance, order, resolution or vote  
16 is finally passed, it shall go into effect without approval,  
17 but must be passed by roll-call of a majority of all the  
18 members of the city council. The city council shall have  
19 power, within said city, to make and establish ordinances  
20 and by-laws for the management of its fiscal, prudential  
21 and municipal affairs, as herein and by general law pro-  
22 vided, without the sanction of any court or justice thereof;  
23 *provided, however*, that all by-laws and regulations now  
24 in force in the town of Westbrook, shall, until they expire  
25 by limitation, or be revised or repealed by the city council,  
26 remain in force.

SECT. 18. The city council shall not authorize the  
2 erection of a school house, or of any addition thereto, nor  
3 pass any appropriation for such purpose until plans for the  
4 same have been approved by vote of the school committee,  
5 and such approval has been certified in writing to the city  
6 council by the chairman of said committee.

SECT. 19. The city council may establish a fire de-  
2 partment for said city, to consist of a chief engineer, and  
3 such other officers and men as it may prescribe; and it  
4 may make regulations for the government of such de-  
5 partment.

SECT. 20. All the powers of establishing watch and  
2 ward, now vested by the laws of the State in the justices  
3 of the peace, and municipal officers or inhabitants of the  
4 town are, so far as relates to said city, vested in the city

5 council, and they are authorized to unite the watch and  
6 police departments into one department, and establish  
7 suitable regulations for the government of the same. The  
8 officer of the police shall be one chief, to be styled the  
9 city marshal, so many deputy marshals as the city council  
10 shall by ordinance prescribe, and so many watchmen and  
11 police as the city council may from time to time adjudge  
12 necessary.

SECT. 21. At any meeting of the city council it shall  
2 be in order for any member thereof to give written notice,  
3 seconded in writing by a majority at least of all the mem-  
4 bers of the city council, of his intention to move, at the  
5 next meeting thereof, occurring within not less than ten  
6 days, a resolution that the mayor be removed for official  
7 misconduct or neglect of duty. Such notice shall specify  
8 as particularly as possible, the acts of misconduct, or the  
9 instances of neglect of duty complained of, shall be  
10 entered at large by the clerk in the minutes of the city  
11 council, and the clerk shall within two days serve a copy  
12 thereof, upon the mayor, and mail a copy to each of the  
13 members of the city council at his residence. At such  
14 next meeting of the city council the mayor shall have the  
15 right to speak in his own defence, and to be heard by  
16 counsel. The vote on the resolution shall be by roll-call.  
17 If the resolution fail to receive the affirmative vote of  
18 three-fourths of all the members of the city council, it  
19 shall have no effect, and shall not be introduced during  
20 that meeting of the city council. If it receive the  
21 affirmative vote of three-fourths of all the members of the  
22 city council, it shall, upon the service of a copy thereof  
23 upon the mayor, personally or by having the same at his

24 last usual place of residence, take effect, and the office of  
25 mayor shall thereupon become vacant. The city council  
26 shall thereupon order a warrant for a new election for  
27 mayor to be issued, and such further proceedings shall be  
28 had as are provided in section six hereof, for the case of  
29 a failure to elect a mayor.

SECT. 22. The members of the city council shall receive  
2 no compensation for their services ; nor shall any member  
3 during the time for which he is elected, hold any other  
4 office in or under the city government, have the expendi-  
5 ture of any money appropriated by the city council or act  
6 as counsel in any matter before the city council or any  
7 committee thereof and no person shall be eligible for  
8 appointment to any municipal office established by the  
9 city council during any municipal year within which he  
10 was a member thereof until the expiration of the suc-  
11 ceeding municipal year.

SECT. 23. The executive powers of the city shall be  
2 vested wholly in the mayor, and may be exercised by him  
3 either personally or through the several officers and  
4 boards of the city in their departments, under his general  
5 supervision and control. In case of a vacancy in any  
6 office to which appointment is made by the mayor, he may  
7 personally perform the duties thereof, but he shall not be  
8 entitled to receive any salary or pay attached thereto.  
9 The mayor shall hold office for the term of one year from  
10 the second Monday in March following his election, unless  
11 sooner removed, and until his successor is elected and  
12 qualified.

SECT. 24. The mayor shall have the sole power of ap-  
2 pointment to all the municipal offices established by or

3 under this act, unless herein otherwise provided; and he  
4 may remove from office, by written order, any officer so  
5 appointed hereunder, for any cause which he shall in his  
6 official discretion deem sufficient, which cause he shall  
7 assign in his order of removal. Such office shall become  
8 and be vacant upon the filing with the city clerk of such  
9 order of removal, and the service of a copy thereof upon  
10 the officer so removed, either personally or by leaving the  
11 same at his last or usual place of residence. The city  
12 clerk shall keep such order of removal on file, where it  
13 shall be open to public inspection.

SECT. 25. The salary and compensation of the mayor  
2 shall be four hundred dollars per year, which shall not be  
3 increased or diminished for the period of the first five  
4 municipal years; and thereafter shall be four hundred  
5 dollars per year and such additional sum as the city  
6 council may establish by ordinance, passed by vote of  
7 two-thirds of its members, such ordinance not to take  
8 effect, however, until the year succeeding that in which  
9 it is passed. And during his term of office the mayor  
10 shall receive no salary, compensation or perquisite for  
11 discharging the duties of any other office established by  
12 or under the provisions of this act.

SECT. 26. Until a police department shall be estab-  
2 lished in accordance with the provisions of this act, the  
3 mayor shall have the appointment, control and direction  
4 of the police force of the city.

SECT. 27. Whenever there shall be a vacancy in the  
2 office of mayor, and whenever by reason of sickness, or  
3 absence from the city, or other cause, the mayor shall be  
4 disabled from performing the duties of his office, the

5 president of the city council shall act as mayor and  
6 possess all the rights and powers of mayor during such  
7 vacancy or disability, except that when so acting as mayor,  
8 he shall not have the power of appointment or removal  
9 unless thereto in any instance authorized by vote of the  
10 city council.

SECT. 28. The school committee elected as hereinbefore  
2 provided, shall, in addition to the powers conferred upon  
3 them by this act, be held to perform all the duties and be  
4 invested with all the rights and powers of school commit-  
5 tees under the general laws of the State. As soon as may  
6 be after their election they shall meet, and having been  
7 first duly sworn by the city clerk or a justice of the peace,  
8 shall elect one of their number chairman, and appoint  
9 some suitable person, not a member of the board, super-  
10 intendent of schools, and may adopt such rules and regu-  
11 lations for the management of the schools as are not  
12 inconsistent with the laws of the State. The superinten-  
13 dent need not be an inhabitant of the city at the time of  
14 his appointment. He shall be secretary and executive  
15 agent of the board which shall fix his salary, to be paid  
16 from the city treasury as salaries of teachers are paid.  
17 The members of the school committee shall receive no  
18 compensation for their services as such.

SECT. 29. There shall be a board of five assessors, one  
2 from each ward, to be elected on the third Monday in  
3 March, annually, or as soon as may be thereafter, by the  
4 city council by a majority of all its members by roll-call.  
5 The compensation of the assessors shall be fixed by the  
6 city council and shall not be increased or diminished dur-  
7 ing the municipal year for which they are elected. The

8 assessors shall hold office till the third Monday in March  
9 following their election and until their successors are  
10 chosen and qualified. All taxes shall be assessed, appor-  
11 tioned and collected in the manner prescribed by the laws  
12 of this State relative to town taxes; but the city council  
13 may establish further or additional provisions for the  
14 collection thereof.

SECT. 30. There shall be the following administration  
2 officers, who shall perform the duties by law and herein  
3 prescribed for them respectively, and such other duties not  
4 inconsistent with the nature of their respective offices as  
5 the city council may prescribe :

I. A city treasurer.

II. A collector of taxes; and the offices of collector of  
8 taxes and of city treasurer may be held by the same  
9 person.

III. A road commissioner.

IV. A city marshal, whenever a police department is  
12 established as herein provided.

V. A chief engineer of the fire department, whenever  
14 a fire department is established in said city.

VI. Three overseers of the poor, who shall exercise  
16 the powers and be subject to the duties prescribed for  
17 overseers of the poor of cities and towns by the laws of  
18 the State.

The above-named officers and boards shall be appointed  
20 on, or before, the third Monday in March, annually, and  
21 shall hold their respective offices for the term of one year,  
22 unless sooner removed, or, in the case of boards, until a  
23 majority of the members thereof are appointed and  
24 qualified. All officers whatsoever, elected or appointed



25 by and under the provisions of this act, shall be sworn to  
26 a faithful discharge of the duties of their respective offices,  
27 by the town or city clerk, or a justice of the peace.

The city council may by ordinance establish additional  
29 administrative officers and define the duties appertaining  
30 thereto, and such officers shall be subject to the  
31 provisions of this act.

SECT. 31. The city council shall require the auditor of  
2 accounts, the treasurer, the collector of taxes, and such  
3 other officers as are entrusted with the receipt, call and  
4 disbursement of money to give bonds with such security  
5 as it shall deem proper for the faithful discharge of their  
6 respective duties.

SECT. 32. No person shall be eligible for election or  
2 appointment to any office established by this act, unless at  
3 the time of election he shall have been a citizen of the  
4 United States and a resident of the city for at least three  
5 months, except the office of superintendent of schools.  
6 Any office established by or under this act shall become  
7 vacant if the incumbent thereof ceases to be a resident of  
8 the city.

SECT. 33. The city council shall establish by ordinance  
2 the regular salaries or remuneration of the offices estab-  
3 lished by this act in case the same are not herein fixed or  
4 otherwise provided for and of such other offices as may  
5 be hereafter established, and, after the first municipal  
6 year, no ordinance of the city council changing any such  
7 salary or remuneration shall take effect until the municipi-  
8 pal year succeeding that in which the ordinance is passed.

SECT. 34. No sum appropriated for a specific purpose  
2 shall be expended for any other purpose, and no expendi-

3 ture shall be made nor liability incurred by or in behalf  
4 of the city, until an appropriation has been duly voted by  
5 the city council sufficient to meet such expenditure or  
6 liability, together with all the prior unpaid liabilities  
7 which are payable out of such appropriation; *provided*,  
8 *however*, that after the expiration of the financial year,  
9 and until the passage of the regular annual appropri-  
10 tions, liabilities payable out of a regular appropriation to  
11 be contained therein, may be incurred to an amount not  
12 exceeding one-third of the total of such appropriation for  
13 the preceding year.

SECT. 35. For the purpose of organizing the system of  
2 government hereby established, and putting the same into  
3 operation in the first instance, the selectmen of the town,  
4 for the time being, shall seasonably in the month of March  
5 next after the acceptance of this charter, issue their war-  
6 rant calling a meeting of the legal voters of said town, at  
7 nine o'clock in the forenoon on such day and at such place  
8 as they shall choose, for the purpose of electing a mayor,  
9 thirteen aldermen, a city clerk, a school committee of ten,  
10 and five constables, to be taken from the city at large.  
11 Said officers shall be elected by a plurality vote. The  
12 selectmen for the time being shall preside at said meeting,  
13 and a check-list prepared by them especially for said  
14 meeting, shall be used at the same; and said selectmen  
15 shall be in session during the three secular days next pre-  
16 ceding said meeting, for the purpose of revising and cor-  
17 recting said check-list, and no name shall be added there-  
18 to after six o'clock in the afternoon, on the last of said  
19 secular days. The town clerk shall notify the several

20 officers-elect of their election within three days after said  
21 meeting. It shall be the duty of the city council, as soon  
22 as may be after their election, to cause a division of the  
23 city into five wards, in such manner as to include as  
24 nearly as may be, consistently with well defined limits,  
25 an equal number of legal voters in each ward. At the  
26 first meetings of the wards, after such division has been  
27 made, the said meetings shall be called to order and pre-  
28 sided over by some person resident in the ward where any  
29 such meeting is held, appointed by the city council, and  
30 records of such first meetings shall be made by some per-  
31 son, also resident in the ward, designated by the city  
32 council; and at such meetings lists of voters, corrected  
33 by the city council, shall be delivered to the persons des-  
34 ignated as recording officers in the several wards, to be  
35 used as provided by law in town meetings. Said record-  
36 ing officers shall act as ward clerks, relative to making a  
37 record of elections in their respective wards and return-  
38 ing copies of such records to the city council.

SECT. 36. This act shall take effect and be in full force  
2 when the same shall have been accepted by the inhabi-  
3 tants of said town, qualified to vote in town affairs, at a  
4 legal meeting called for that purpose, provided it shall be  
5 accepted within five years from the date of approval; and  
6 at such meeting the legal voters of said town shall vote  
7 by written ballot, those in favor of accepting this act  
8 having on the ballot the word "yes," and those opposed  
9 having on the ballot the word "no;" and if a majority of  
10 all the ballots received are in favor of accepting the same,  
11 it shall become a law and take effect; and it shall be the  
12 duty of the clerk of said town to file a copy of the record

13 of the vote of said town accepting the same, with the clerk  
14 of the city of Westbrook, when elected, who shall trans-  
15 cribe such copy into the records of the city, and such  
16 record shall be conclusive evidence that this act has been  
17 accepted. If at any meeting so held this act shall fail to  
18 be so accepted, it may at the expiration of ten months from  
19 any such previous meeting, be again submitted for accept-  
20 ance, but not after the period of five years from the  
21 approval thereof. Upon and after the acceptance of this  
22 act by the legal voters of said town, as aforesaid, the  
23 municipal court in said town, now denominated the muni-  
24 cipal court of the town of Westbrook, shall be denomi-  
25 nated the municipal court for the city of Westbrook, and  
26 the city council shall provide a suitable room in which  
27 said court shall be held.

SECT. 37. So much of this act as authorizes the  
2 submitting of the question of its acceptance to the legal  
3 voters of said town shall take effect upon its approval; but  
4 it shall not take further effect unless accepted by the legal  
5 voters of said town as hereinbefore provided.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 19, 1889. }

Tabled, pending third reading, and ordered printed on motion of Mr.  
CLASON of Gardiner.

NICHOLAS FESSENDEN, *Clerk.*