

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 96

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THREE.

AN ACT to Amend the Charter of the City of Portland.

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

Section 1. Section 12 of chapter 275 of the Private and
2 Special Laws of the State of Maine, approved March 24,
3 1863, as amended by chapter 384 of the Private and Special
4 Laws of the State of Maine, approved March 19, 1901, is
5 hereby further amended by striking out the word "majority"
6 in the fifth line of said section and substituting therefor the
7 word 'plurality,' so that said section 12, as amended, shall
8 read as follows:

'Sect. 12. The mayor shall be elected by the inhabitants
10 of the city, voting in their respective wards. One alderman,
11 three common councilmen, a warden and clerk, and two con-
12 stables, shall be elected by each ward, being residents in the

13 ward where elected. All said officers shall be elected by
14 ballot by a plurality of the votes given; and shall hold their
15 office one year from the second Monday in December, and
16 until others shall be elected and qualified in their places. All
17 city and ward officers shall be held to discharge the duties
18 of the offices to which they have been respectively elected,
19 notwithstanding their removal after their election out of their
20 respective wards into any other wards in the city; but they
21 shall not so be held after they have taken up their permanent
22 residence out of the city.'

Sect. 2. Section 13 of said chapter 275 as amended by
2 said chapter 384, is hereby further amended by striking out
3 the word "majority" at the end of the fifteenth line of said
4 section and substituting therefor the word 'plurality,' so
5 that said section 13 as amended, shall read as follows:

'Sect. 13. On the first Monday in December annually the
7 qualified electors of each ward shall ballot for mayor, one
8 alderman, three common councilmen, a warden and clerk,
9 and two constables, on one ballot. The ward clerk, within
10 twenty-four hours after such election, shall deliver to the
11 persons elected, certificates of their election, and shall forth-
12 with deliver to the city clerk a certified copy of the record
13 of such election, a plain and intelligible abstract of which
14 shall be entered by the city clerk on the city records. If the
15 choice of any such officers is not effected on that day, the
16 meeting shall be adjourned to another day, (not more than
17 two days thereafter), to complete such election, and may
18 so adjourn from time to time, until the election is complete.
19 The board of aldermen shall, as soon as conveniently may
20 be, examine the copies of the records of the several wards,
21 certified as aforesaid, and shall cause the person who shall
22 have been elected mayor by a plurality of the votes given in
23 all the wards, to be notified in writing of his election. But
24 if it shall appear that no person shall have been so elected,

25 or if the person elected shall refuse to accept the office, the
26 said Board shall issue their warrants for another election ;
27 and in case the citizens shall fail on a second ballot to elect
28 a mayor, the city council in convention shall, from the four
29 highest candidates voted for at the second election and
30 returned, elect a mayor for the ensuing year ; and in case of
31 a vacancy in the office of mayor by death, resignation or
32 otherwise, it shall be filled for the remainder of the term by
33 a new election in the manner hereinbefore provided for the
34 choice of said officer. The oath or affirmation prescribed by
35 this act, shall be administered to the mayor by the city clerk
36 or any justice of the peace in said city. The aldermen and
37 common councilmen elect, shall on the second Monday in
38 December, at 10 o'clock in the forenoon, meet in convention,
39 when the oath or affirmation required by the second section
40 of this act shall be administered to the members of the two
41 boards present, by the mayor or any justice of the peace,
42 after which the board of common council shall be organized
43 by the election of a president and clerk. The city council
44 shall, by ordinance, determine the time of holding stated or
45 regular meetings of the board, and shall also, in like manner,
46 determine the manner of calling special meetings and the
47 persons by whom the same shall be called ; but until other-
48 wise provided by ordinance special meetings shall be called
49 by the mayor by causing a notification to be left at the usual
50 residence or place of business of each member of the board
51 or boards to be convened.'

Sect. 3. This act shall take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, February 11, 1903.

Reported by Mr. OAKES of Auburn, from Committee on Legal Affairs,
and ordered printed under joint rules.

W. S. COTTON, *Clerk.*