

MAINE STATE LEGISLATURE

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Seventy-first Legislature.

HOUSE.

No. 494

STATE OF MAINE.

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

AN ACT to amend sections seventeen and nineteen of chapter one hundred and five of the Private and Special Laws of eighteen hundred and sixty-one, relating to the election of mayor, aldermen, common councilmen, wardens and ward clerks, in the city of Lewiston.

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

Section 1. Section seventeen of chapter one hundred and 2 five of the Private and Special Laws of eighteen hundred and 3 sixty-one is hereby amended by striking out the the word 4 "majority" in the fifth line of said section and inserting in 5 place thereof the word 'plurality', so that said section, as 6 amended, shall read as follows :

'Sect. 17. The mayor shall be elected from the citizens at 8 large, by the inhabitants of the city voting in their respective 9 wards. One alderman and three common councilmen shall 10 be elected by each ward, being residents in the wards where

11 elected. All said officers shall be elected by ballot, by a
12 plurality of the votes given, and shall hold their offices one
13 year from the third Monday in March, and until others shall
14 be elected in their places; provided, however, that if the city
15 shall be divided into less than seven wards, then one or two
16 (as the case may be) of the aldermen shall be elected at large
17 by the inhabitants of the city, the whole number of aldermen
18 in no case to be more than seven, as provided in section second
19 of this act.'

Sect. 2. Section nineteen of said chapter is hereby amended
2 by striking out the words "the choice of" in the eleventh line,
3 all of the twelfth, thirteenth, fourteenth, fifteenth, sixteenth,
4 seventeenth and eighteenth lines, together with the word
5 "number" in the nineteenth line, all in said section, and sub-
6 stituting in place thereof the words 'there be no choice of
7 alderman, common councilmen, warden or ward clerk'; also
8 by striking out the word "majority" in the twenty-third line
9 of said section and substituting in place thereof the word
10 'plurality'; also by striking out the words "and in case the
11 citizens should" in the twenty-seventh line, all of the twenty-
12 eighth, twenty-ninth, thirtieth and thirty-first lines, together
13 with the words "elected, and notified as aforesaid" in the
14 thirty-second line, all in said section; also by striking out the
15 word "number" in the thirty-third line of said section and
16 substituting in place thereof the word 'plurality,' so that said
17 section, as amended, shall read as follows:

'Sect. 19. On the first Monday of March, annually, the
19 qualified electors of each ward shall ballot for a mayor, one
20 alderman and three common councilmen, warden and ward
21 clerk; all the votes given for the said several officers, respect-
22 ively, shall be sorted, counted, declared and registered in
23 open ward meeting, by causing the names of persons voted
24 for and the number of votes given for each to be written on
25 the ward record at length. The ward clerk, within twenty-

26 four hours after such election, shall deliver to the persons
27 elected alderman and common councilmen certificates of their
28 election and shall forthwith deliver to the city clerk a certi-
29 fied copy of the records of such election ; provided, however,
30 that if there be no choice of alderman, common councilmen,
31 warden or ward clerk, the balloting shall be continued from
32 day to day until a choice is thus effected. The board of
33 aldermen shall as soon as conveniently may be, examine the
34 copies of the records of the several wards, certified as afore-
35 said, and shall cause the person who shall have been elected
36 mayor, by a plurality of votes given in all the wards, to be
37 notified in writing of his election ; but if it shall appear that
38 no person shall have been elected, or if the person elected shall
39 refuse to accept the office, the said board shall issue their
40 warrants for another election ; if no one shall then have such
41 plurality, further elections shall in the same manner be ordered,
42 till a choice shall be made, by some one having the highest
43 number of votes ; and in case of a vacancy in the office of
44 mayor by death, resignation or otherwise, it shall be filled for
45 the remainder of the term by a new election in the manner
46 hereinbefore provided for the choice of said officer ; and in the
47 meantime the president pro tempore of the board of alder-
48 men shall perform the duties of mayor. The oath prescribed
49 by this act shall be administered to the mayor by the city clerk,
50 or any justice of the peace in said city. The aldermen and
51 common councilmen elect, shall, on the third Monday of
52 March, at ten of the clock in the forenoon, meet in convention,
53 when the oath required by the second section of this act shall
54 be administered to the members of the two boards present,
55 by the mayor or any justice of the peace, and thereupon the
56 two boards shall separate, and the board of common council
57 shall be organized by the election of a president and clerk.'

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 20, 1903.

Reported by Mr. SMITH of Presque Isle, from Committee on the
Judiciary, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*