

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 451

House of Representatives, March 7, 1913.

*Reported by Mr. Waterhouse from Committee on Judiciary,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT to revise the Charter of the City of Eastport.

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

Section 1. For the purpose of bringing together in a more
2 connected and convenient form chapter four hundred and
3 fifty of the Private and Special Laws of eighteen hundred
4 and ninety-three, entitled "An Act to incorporate the City
5 of Eastport," and acts additional thereto and amendatory
6 thereof, and revising and further amending the same, said
7 original act, after the enacting clause, is hereby so revised
8 and further amended as to read as follows:

'Section 1. The inhabitants of the town of Eastport, in
9a the county of Washington, shall in case of the acceptance

10 of this act by the voters of said town, as hereinafter pro-
11 vided, continue to be a body politic and corporate under
12 the name of the city of Eastport, and as such shall have,
13 exercise and enjoy all the rights, immunities, powers, priv-
14 ileges and franchises, and shall be subject to all the duties
15 and obligations now appertaining to or incumbent upon said
16 town as a municipal corporation, or appertaining to or in-
17 cumbent upon, the inhabitants or selectmen thereof; and
18 may ordain and publish such by-laws, ordinances and regu-
19 lations, not inconsistent with the constitution and laws of
20 this state, as shall be needful to the good order of said body
21 politic; and impose fines and penalties for the breach there-
22 of, not exceeding twenty dollars for any one offense, which
23 may be recovered to the use of said city, by action of debt,
24 or on complaint, before the Municipal Court of said city.

‘Sect. 2. The administration of all fiscal, prudential and
26 municipal affairs of said city with the government thereof
27 shall be vested in an officer to be called the mayor, and one
28 council of eight to be denominated a board of aldermen;
29 all of whom shall be inhabitants of said city and legal voters
30 therein. Said mayor and aldermen shall constitute the city
31 council, and shall be sworn or affirmed in the form pre-
32 scribed by the constitution of the State for State officers.

‘Sect. 3. For the purpose of holding elections, the terri-
34 tory of said city shall, as soon as may be after the first elec-
35 tion under this act, be divided by ordinance by the city coun-
36 cil into four wards to contain as near as may be consistent-

37 ly with well defined limits, an equal number of legal voters ;
38 and it shall be the duty of the city council once in ten years,
39 and not oftener than once in five years, to review, and if it
40 be needful, to alter such wards in such manner as to pre-
41 serve as nearly as may be, an equal number of legal voters
42 in each ward.

‘Sect. 4. The mayor and the city clerk, shall be elected
44 from the citizens at large, by the legal voters of the city
45 voting in their respective wards. Two aldermen, a warden,
46 a ward clerk and one constable shall be elected by each ward,
47 being residents in the ward where elected. All of said offi-
48 cers shall be elected by ballot by a plurality of the votes
49 given, and shall hold their offices one year from the second
50 Monday in March, and until others shall be elected and
51 qualified in their places. All city and ward officers shall
52 be held to discharge the duties of their respective offices,
53 notwithstanding their removal after their election, into any
54 other wards in the city; but they shall not be so held after
55 they have taken up their permanent residence out of the
56 city.

‘Sect. 5. The municipal elections after the first, shall take
58 place annually, on the first Monday in March. All meet-
59 ings of the citizens for municipal purposes shall be notified
60 and called in their respective wards, by the mayor and al-
61 dermen, in the manner provided by the laws of this State
62 for notifying and calling town meetings by the selectmen
63 of the several towns. The wardens shall preside at all ward

64 meetings, with the powers of moderators at town meetings;
65 and if at any ward meeting the warden shall not be pres-
66 ent, the clerk shall preside till a warden, pro tempore, shall
67 be chosen. If neither the warden or clerk is present, any
68 legal voter in the ward shall preside till a clerk, pro tem-
69 pore, shall be chosen and qualified. The legal voters in
70 each ward may choose two persons to assist the warden in
71 receiving, sorting and counting votes. If from any cause
72 there shall be a vacancy in the office of warden or ward
73 clerk in any of the wards of the city, the same shall be filled
74 by appointment by the mayor for the unexpired term.

'Sect. 6. Whenever two or more persons are to be elect-
76 ed to the same office, the several persons up to the number
77 to be chosen, receiving the highest number of votes, shall
78 be deemed and declared to be elected. If it shall appear
79 that there is no choice of mayor, or any of the other offi-
80 cers to be elected from the citizens at large, or from any
81 of the several wards, or if the person elected mayor, or any
82 person or persons elected to any other of the offices afore-
83 said, shall refuse to accept the office, or shall die before
84 qualifying, or if a vacancy in the office of mayor shall oc-
85 cur subsequently, and more than three months previous to
86 the expiration of the municipal year, warrants shall forth-
87 with be issued for a new election, and the same proceed-
88 ings shall be had in all respects as hereinbefore provided,
89 and shall be repeated until such election is completed. A
90 vacancy occurring in the office of city clerk by death, resig-

91 nation or removal from the city, shall be filled for the un-
92 expired term by election by the city council. A vacancy
93 occurring in the Board of Aldermen by death, resignation
94 or removal from the city, or any member thereof, shall be
95 filled for the unexpired term by a plurality vote of the re-
96 maining members of the Council, by roll-call, from the ward
97 where it occurs.

'Sect. 7. All meetings for the election of national, state
99 and county officers, shall be notified and warned, and con-
100 ducted in the manner provided by the constitution and laws
101 of the State.

'Sect. 8. General meetings of the citizens qualified to vote
103 may, from time to time, be held to consult upon the public
104 good, to instruct their representatives and to take all law-
105 ful measures to obtain redress for any grievances accord-
106 ing to the right secured to the people by the constitution of
107 this State; and such meeting shall be duly warned by the
108 mayor upon the request in writing of fifty qualified voters.

'Sect. 9. The mayor elect, and the aldermen elect, shall
110 annually, on the second Monday in March, at ten o'clock
111 in the forenoon, meet and be sworn to the faithful dis-
112 charge of their duties. The oath shall be administered at
113 their first meeting after the acceptance of this act, by the
114 town clerk or any justice of the peace, and in subsequent
115 years, by the city clerk or any justice of the peace, and
116 shall be duly certified on the journal of the city council.
117 The city clerk shall be sworn by the city clerk of the pre-

118 vious year or any justice of the peace. In case of the ab-
119 sence of the mayor elect on the second Monday in March,
120 or if a mayor shall not then have been elected, the oath
121 of office may at any time thereafter, be administered to
122 him in the presence of the city council; and at any time
123 thereafter in like manner the oath of office may be admin-
124 istered to any member of the city council who has been
125 previously absent, or has been subsequently elected; and
126 every such oath shall be duly certified as aforesaid.

'Sect. 10. After the oath has been administered to the
128 aldermen present, they shall be called to order, at their
129 first organization, by the town clerk, and in subsequent
130 years by the city clerk, or, in case of the absence of the
131 clerk, by the oldest member present. The person so call-
132 ing the city council to order shall proceed to call the roll
133 of members and each member shall declare his choice for
134 president of the city council who shall be a member there-
135 of. If no quorum is present an adjournment shall be
136 taken to a later hour, or to the next day, and thereafter the
137 same proceedings shall be had from day to day, until a
138 quorum shall be present. If any person receive a major-
139 ity of the votes of all the members of the city council pres-
140 ent, such person shall be declared chosen president thereof.
141 If on the first day in which a quorum is present no person
142 receives such majority, the roll-call shall be repeated until
143 some person receives the vote of such majority, or an ad-
144 journment is taken to the succeeding day and on such suc-

145 ceeding day when a quorum is present, a plurality of those
146 voting shall be sufficient for an election. In case of a tie,
147 the Mayor shall have a casting vote, otherwise he shall
148 have no vote in the election of the President of the Coun-
149 cil. The president may be removed from office by the
150 affirmative vote of six members of the city council taken
151 by roll call. The city clerk shall be, ex-officio, clerk of
152 the city council and shall keep a journal containing a rec-
153 ord of the proceedings of the city council and a record at
154 large of all votes taken by roll-call, and shall sign and at-
155 test all ordinances and resolutions of the city council.

'Sect. 11. The mayor may at any time call a special meet-
157 ing of the city council, by causing written notification
158 thereof, together with a statement of the subjects to be
159 considered thereat, to be given in hand to or left at the
160 usual place of residence of each member of the Board of
161 Aldermen.

'Sect. 12. The city council shall determine the rules of
163 its own proceedings, and be the judge of the election re-
164 turns and qualifications of its own members. In case of
165 the absence of the president, the city council shall choose
166 a president, pro tempore, and a plurality of the votes cast
167 shall be sufficient for a choice. The vote of the city coun-
168 cil upon any question shall be taken by roll-call, when the
169 same is requested by at least three members. A majority
170 of all the members of the city council shall constitute a
171 quorum, but a smaller number may adjourn from time to

172 time. The city council shall, so far as not inconsistent
173 with this act, have and exercise all the legislative powers
174 of towns, and have all the powers and be subject to all the
175 liabilities of city councils, and either branch thereof under
176 the general laws of this state. The city council shall, by
177 ordinance determine the time of holding its stated or reg-
178 ular meetings; and may, also, in like manner, determine
179 the manner of calling special meetings of its members in
180 addition to those which may be called by the mayor.

'Sect. 13. The city council shall, as soon as may be after
182 its organization in each year, choose an auditor of ac-
183 counts, who shall hold office for the term of one year, and
184 until his successor is chosen and qualified. A majority of
185 the votes of all the members of the board of aldermen,
186 taken by roll-call, shall be necessary for the choice of such
187 auditor; and he may be removed by an affirmative vote
188 of a majority of all the board of aldermen taken by roll-
189 call.

'Sect. 14. The city council shall have exclusive authority
191 to lay out, widen or otherwise alter or discontinue any
192 and all streets or ways in said city, with or without peti-
193 tion therefor, and to estimate all damages sustained by
194 the owners of land taken for that purpose. A standing
195 committee of three members of the city council shall be
196 appointed by the mayor, whose duty it shall be to lay out,
197 alter, widen or discontinue any street or way in said city,
198 first giving notice of the time and place of their proceed-

199 ings to all parties interested, as now required by law in
200 case of town ways. The committee shall first hear all
201 parties interested, and then determine and adjudge wheth-
202 er the public convenience or private necessity requires such
203 street or way to be laid out, altered or discontinued, and
204 shall make a written return of their proceedings, signed
205 by a majority of them, containing the bounds and descrip-
206 tion of the street or way, if laid out or altered, and names
207 of the owners of the land taken, when known, and the
208 damages allowed therefor; the return shall be filed in the
209 city clerk's office, at least seven days previous to its ac-
210 ceptance by the city council. The committee shall esti-
211 mate and report the damages sustained by the owners of
212 the land adjoining that portion of the street or way which
213 is so discontinued; and their report shall be filed with the
214 city clerk seven days at least before its acceptance. Any
215 person aggrieved by the decision or judgment of the city
219 council in establishing, altering or discontinuing any streets
220 or ways in said city, may so far as relates to damages, ap-
221 peal therefrom as in the case of town ways. The city coun-
222 cil may lay out and construct sidewalks and regulate the
223 length and width thereof in any public square, place, street,
224 lane or alley in said city whenever they deem it needful
225 and may determine in what manner and of what material
226 any such sidewalk shall be constructed.

'Sect. 15. The city council may lay out, maintain and re-
228 pair all main drains or common sewers in said city, and no

229 person who has not previously paid a sewer assessment on
230 the same property, shall connect his private drain with
231 any main drain or common sewer before paying to the
232 city an entrance fee to be determined by the city council
233 and obtaining a written permit from the mayor to make
234 such connection; and it shall be the duty of the treasurer
235 to keep a record of all such permits in a book kept for such
236 purpose. Said connection shall be made under the direc-
237 tion and approval of the road commissioner and at the
238 expense of the person making the connection; and it is
239 hereby made the duty of the road commissioner to direct
240 and superintend how all such connections shall be made,
241 and determine the kind of pipe and materials to be used,
242 and when made to report the same to the city treasurer.

‘Sect. 16. In case any ordinance, order, resolution or
244 vote involves the appropriation or expenditure of money,
245 to an amount which may exceed one hundred dollars, the
246 laying of an assessment or the granting to a person or
247 corporation of any right in, over or under any street or
248 other public ground of said city, the affirmative votes of a
249 majority of all the members of the city council shall be
250 necessary for its passage. Every such ordinance, order,
251 resolution or vote shall be read twice, with an interval of
252 at least three days between the two readings, before being
253 finally passed, and the vote upon its final passage shall be
254 by roll-call.

‘Sect. 17. Every ordinance, order, resolution or vote of

256 the city council, except such as relates to its own internal
257 affairs, to its own officers or employees to the election or
258 duties of the auditor of accounts, to the removal of the
259 mayor, or to the declaration of a vacancy in the office of
260 mayor, shall be presented to the mayor for approval. If
261 not approved by him, he shall return it, with his objections,
262 at the next session of the city council, and the city council
263 shall cause such objection to be entered at large upon its
264 journal, and shall proceed to reconsider the same. If
265 upon such reconsideration it shall be passed by a two-
266 thirds vote of all the members of the city council, it shall
267 have the same effect as if signed by the mayor. In case
268 of a vacancy in the office of mayor when such ordinance,
269 order, resolution or vote is finally passed, it shall go
269a into effect without approval, but must be passed
270 by roll-call of a majority of all the members of the city
271 council. The city council shall have power within said
272 city, to make and establish ordinances and by-laws for the
273 management of its fiscal prudential and municipal affairs,
274 as herein and by general law provided, without the sanc-
275 tion of any court or justice thereof, provided, however,
276 that all the by-laws and regulations now in force in the
277 town of Eastport, shall until they expire by limitation, or
278 be revised or repealed by the city council, remain in force.

'Sect. 18. The city council shall not authorize the erec-
280 tion of a school-house, or of any addition thereto, nor pass
281 any appropriation for such purpose, until plans for the
282 same have been approved by vote of the school committee,

283 and such approval has been certified in writing to the city
284 council by the chairman of said committee.

'Sect. 19. The city council may establish a fire depart-
286 ment for said city, to consist of a chief engineer, and such
287 other officers and men as it may prescribe; and it may make
288 regulations for the government of such department.

'Sect. 20. All the powers of establishing watch and ward,
290 now vested by the laws of the state in the justices of the
291 peace, and municipal officers or inhabitants of the town
292 are, so far as relates to said city, vested in the city council,
293 and they are authorized to unite the watch and police de-
294 partments into one department, and establish suitable reg-
295 ulations for the government of the same. The officers of
296 the police shall be one chief, to be styled the city marshal,
297 so many deputy marshals as the city council shall by ordi-
298 nance prescribe, and so many watchmen and police as the
299 city council may from time to time adjudge necessary.

'Sect. 21. At any meeting of the city council it shall be
301 in order, for any member thereof to give written notice,
302 seconded in writing by a majority at least of all the mem-
303 bers of the Board of Aldermen, of his intention to move,
304 at the next meeting thereof, occurring within not less than
305 ten days, a resolution that the mayor be removed for of-
306 ficial misconduct or neglect of duty. Such notice shall
307 specify as particularly as possible, the acts of misconduct,
308 or the instances of neglect of duty complained of, shall
309 be entered at large by the clerk in the minutes of the city

310 council, and the clerk shall within two days serve a copy
311 thereof, upon the mayor, and mail a copy to each of the
312 members of the board of aldermen at his residence. At
313 such next meeting of the city council the mayor shall have
314 the right to speak in his own defense, and to be heard by
315 counsel. The vote on the resolution shall be by roll-call.
316 If the resolution fails to receive the affirmative vote of
317 three-fourths of all the members of the board of aldermen,
318 it shall have no effect, and shall not be re-introduced dur-
319 ing that meeting of the city council. If it receive the
320 affirmative vote of three-fourths of all the members of the
321 board of aldermen, it shall, upon a service of a copy there-
322 of upon the mayor, personally or by leaving the same at
323 his last and usual place of residence, take effect, and the
324 office of mayor shall thereupon become vacant. The
325 board of aldermen shall thereupon cause a warrant for a
326 new election for mayor to be issued, and such further pro-
327 ceedings shall be had as are provided in section six here-
328 of, for the case of a failure to elect a mayor.

'Sect. 22. The members of the board of aldermen shall
330 receive no compensation for their services; nor shall any
331 member during the time for which he is elected, hold any
332 other office in or under the city government, have the ex-
333 penditure of any money appropriated by the city council,
334 or act as counsel in any matter before the city council or
335 any committee thereof, and no person shall be eligible for
336 appointment to any municipal office established by the city

337 council during any municipal year within which he was a
338 member thereof, until the expiration of the succeeding
339 municipal year.

‘Sect. 23. The executive powers of the city shall be vest-
341 ed wholly in the mayor, and may be exercised by him either
342 personally or through the several officers and boards of the
343 city in their departments, under his general supervision
344 and control. He shall preside at all meetings of the city
345 council, but shall have only a casting vote. In case of a
346 vacancy in any office to which appointment is made by the
347 mayor, he may personally perform the duties thereof, but
348 he shall not be entitled to receive any salary or pay at-
349 tached thereto. The mayor shall hold office for the term
350 of one year from the second Monday in March following
351 his election, unless sooner removed, and until his successor
352 is elected and qualified.

‘Sect. 24. The mayor shall have the sole power of ap-
354 pointment to all the municipal offices established by or un-
355 der this act, unless herein otherwise provided; and he may
356 remove from office, by written order, any officer so ap-
357 pointed hereunder for any cause, which he shall in his of-
358 ficial discretion deem sufficient, which cause he shall assign
359 in his order of removal. Such office shall become and be
360 vacant upon the filing with the city clerk of such order of
361 removal, and the service of a copy thereof upon the officer
362 so removed, either personally or by leaving the same at
363 his last or usual place of residence. The city clerk shall

364 keep such order of removal on file, where it shall be open
365 to public inspection.

'Sect. 25. The salary and compensation of the mayor
367 shall be one hundred dollars per year, which shall not be
368 increased or diminished for the period of the first five
369 municipal years; and thereafter shall be one hundred dol-
370 lars per year and such additional sum as the city council
371 may establish by ordinance, passed by vote of two-thirds
372 of its members, such ordinance not to take effect, however,
373 until the year succeeding that in which it is passed. And
374 during his term of office the mayor shall receive no salary,
375 compensation or perquisite for discharging the duties of
376 any other office established by or under the provisions of
377 this act.

'Sect. 26. Until a police department shall be established
379 in accordance with the provisions of this act, the mayor
380 shall have the appointment, control and direction of the
381 police force of the city.

'Sect. 27. Whenever there shall be a vacancy in the office
383 of mayor, and whenever by reason of sickness, or absence
384 from the city, or other cause, the mayor shall be disabled
385 from performing the duties of his office, the president of
386 the city council shall act as mayor and possess all the
387 rights and powers of mayor during such vacancy or dis-
388 ability, except that when so acting as mayor, he shall not
389 have the power of appointment or removal unless thereto
390 in any instance authorized by vote of the city council.

'Sect. 28. The school committee elected as provided by
392 Chapter 21 of the Private and Special Laws of 1899, shall
393 in addition to the powers conferred upon them by that act
394 be held to perform all the duties and be invested with all
395 the rights and powers of school committee under the gen-
396 eral laws of the state. The members of the school com-
397 mittee shall receive no compensation for their services as
398 such.

Sect. 29. There shall be a board of three assessors, to be
400 elected on the third Monday in March annually or as soon
401 as may be thereafter by the city council, by a majority of
402 all its members by roll-call. They shall hold office for a
403 term of three years. At the first election hereunder, the
404 first assessor shall be elected for three years, the second
405 assessor for two years and the third assessor for one year ;
406 and each year thereafter one assessor shall be elected for
407 three years and they shall execute and be subject to the
408 same power, duties and liabilities that the assessors in the
409 several towns in this State may exercise and be subject to
410 under existing laws.

All taxes shall be assessed, apportioned and collected in
412 the manner prescribed by the laws of this State relative
413 to town taxes: provided, however, that it shall and may
414 be lawful for the city council to establish further and ad-
415 ditional provisions for the collections thereof.

'Sect. 30. There shall be the following administrative of-
417 ficers who shall perform the duties by law and herein pre-

418 scribed for them respectively, and such other duties not
419 inconsistent with the nature of their respective offices as
420 the city council may prescribe:

I. A city treasurer.

II. A collector of taxes; and the offices of collector of
423 taxes and of city treasurer may be held by the same per-
424 son.

III. A road commissioner.

IV. A city marshal who shall exercise all the powers and
427 be subject to the duties prescribed for constables by the
428 law of the state.

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

VI. One overseer of the poor, who shall exercise the
432 powers and be subject to the duties prescribed for over-
433 seers of the poor of cities and towns by the laws of the
434 state.

The above named officers shall be appointed by the mayor
436 on or before, the third Monday in March annually, and
437 shall hold their respective offices for the term of one year,
438 unless sooner removed. All officers whatsoever, elected
439 or appointed by and under the provisions of this act, shall
440 be sworn to a faithful discharge of the duties of their re-
441 spective offices, by the town or city clerk, or a justice of
442 the peace. The city council may by ordinance establish
443 additional administrative offices and define the duties ap-

444 pertaining thereto, and such offices shall be subject to the
445 provisions of this act.

‘Sect. 31. The city council shall require the auditor of
447 accounts, the treasurer, the collector of taxes, and such
448 other officers as are entrusted with the receipt, care and
449 disbursement of money to give bonds, with such security
450 as it shall deem proper, for the faithful discharge of their
451 respective duties.

‘Sect. 32. No person shall be eligible for election or ap-
453 pointment to any office established by this act, unless at
454 the time of election he shall have been a citizen of the
455 United States and a resident of the city for at least three
456 months, except the office of superintendent of schools.
457 Any office established by or under this act, except that of
458 superintendent of schools, shall become vacant if the in-
459 cumbent thereof ceases to be a resident of the city.

‘Sect. 33. The city council shall establish by ordinance
461 the regular salaries or remuneration of the officers estab-
462 lished by this act, in case the same are not herein fixed
463 or otherwise provided for, and of such other offices as
464 may be hereinafter established, and after the first muni-
465 cipal year, no ordinance of the city council changing any
466 such salary or remuneration shall take effect until the mu-
467 nicipal year succeeding that in which the ordinance is
468 passed.

‘Sect. 34. No sum appropriated for a specific purpose
470 shall be expended for any other purpose, and no expendi-

471 ture shall be made nor liability incurred by or in behalf
472 of the city, until an appropriation has been duly voted by
473 the city council sufficient to meet such expenditure or lia-
474 bility, together with all the prior unpaid liabilities which
475 are payable out of such appropriation; provided, however,
476 that after the expiration of the financial year and until the
477 passage of the regular annual appropriations, liabilities
478 payable out of a regular appropriation to be contained
479 therein, may be incurred to an amount not exceeding one-
480 third of the total of such appropriation for the preceding
481 year.

‘Sect. 35. For the purpose of organizing the system of
483 government hereby established, and putting the same into
484 operation, in the first instance, the selectmen of the town
485 for the time being, shall seasonably in the month of March
486 after the acceptance of this charter, issue their warrant
487 calling a meeting of the legal voters of said town, at nine
488 o’clock in the forenoon on such day and at such place as
489 they shall choose, for the purpose of electing a mayor,
490 eight aldermen, a city clerk, a school committee of four
491 and four constables, to be taken from the city at large.
492 Said officers shall be elected by a plurality vote. The se-
493 lectmen for the time being, shall preside at said meeting,
494 and a check list prepared by them especially for said meet-
495 ing, shall be used at the same; and said selectmen shall be
496 in session during the three secular days next preceding
497 said meeting, for the purpose of revising and correcting

498 said check list, and no name shall be added thereto after
499 six o'clock in the afternoon, on the last of said secular days.
500 The town clerk shall notify the several officers-elect of
501 their election within three days after said meeting. It
502 shall be the duty of the city council, as soon as may be
503 after their election, to cause a division of the city into four
504 wards, in such manner to include as nearly as may be, con-
505 sistently with well defined limits, an equal number of legal
506 voters in each ward. At the first meetings of the wards,
507 after such division has been made, the said meetings shall
508 be called to order and presided over by some person resi-
509 dent in the ward where any such meeting is held, appoint-
510 ed by the city council, and records of such first meetings
511 shall be made by some person, also resident in the ward,
512 designated by the city council; and at such meetings lists
513 of voters, corrected by the city council, shall be delivered
514 to the persons designated as recording officers in the sev-
515 eral wards, to be used as provided by law in town meet-
516 ings. Said recording officers shall act as ward clerks,
517 relative to making a record of elections in their respective
518 wards and returning copies of such records to the city
519 council.

'Sect. 36. This act shall take effect and be in full force
521 when the same shall have been accepted by the inhabitants
522 of said town, qualified to vote in town affairs, at a legal
523 meeting called for that purpose, provided it shall be ac-
524 cepted within five years from the date of approval; and

525 at such meeting the legal voters of said town shall vote by
526 written ballot, those in favor of accepting this act having
527 on the ballot the word "yes", and those opposed having
528 on the ballot the word "no"; and if a majority of all the
529 ballots received are in favor of accepting the same, it shall
530 become a law and take effect; and it shall be the duty of
531 the clerk of said town to file a copy of the record of the
532 vote of said town accepting the same, with the clerk of the
533 city of Eastport, when elected, who shall transcribe such
534 copy into the records of the city, and such record shall be
535 conclusive evidence that this act has been accepted. If at
536 any meeting so held this act shall fail to be so accepted, it
537 may at the expiration of ten months from any such pre-
538 vious meeting, be again submitted for acceptance, but not
539 after the period of five years from the approval thereof.

'Sect. 37. So much of this act as authorizes the submit-
541 ting of the question of its acceptance to the legal voters of
542 said town shall take effect upon its approval; but it shall
543 not take further effect unless accepted by the legal voters
544 of said town as hereinbefore provided.'

Sect. 2. All acts and parts of acts inconsistent with this
2 act are hereby repealed.