

MAINE STATE LEGISLATURE

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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.

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

Chapter 126.

An Act to Amend Chapter Two Hundred Forty-four Entitled "An Act to Provide a Charter for the City of Gardiner," of the Private and Special Laws of Nineteen Hundred Thirteen.

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

P. & S. L., 1913, c. 244, amended. Chapter two hundred forty-four, entitled "An Act to provide a charter for the City of Gardiner," of the private and special laws of nineteen hundred and thirteen is hereby amended as follows:

Sec. 1. P. & S. L., 1913, c. 244, § 8, amended. Section eight of said act is hereby amended by adding at the end of clause one the following: 'or unless such person shall have been declared nominated by the city clerk as provided in section thirteen of this act,' so that said clause shall read as follows:

'**Sec. 8. (1). Candidates' names may be printed on ballot when declared nominated by city clerk.** Except as otherwise provided in section twenty-four of this act there shall not be printed on the official ballots to be used at any annual or special city election of the said city the name of any person as a candidate for the office of mayor or alderman unless such persons be nominated as a candidate at a preliminary election for nominations to be held as provided in this act, or unless such persons shall have been declared nominated by the city clerk as provided in section thirteen of this act.'

Sec. 2. P. & S. L., 1913, c. 244, § 9, amended. Section nine of said act is hereby amended by adding after the words "such annual or special city election" at the end of the first paragraph, the words 'except as hereinafter provided,' so that the first paragraph of said section shall read as follows:

'**Sec. 9. Exceptions provided for.** On the second Tuesday preceding every annual or special city election at which any officer mentioned in section seven is to be elected, there shall be held a preliminary election for nominations for the purpose of nominating candidates for such offices as, under the provisions of this act, are to be filled at such annual or special city election, except as hereinafter provided.'

Sec. 3. P. & S. L., 1913, c. 244, § 13, amended. Section thirteen of said act is hereby amended by inserting after the word "Nominations" and before the words "The city clerk" the following: 'But where not more than two candidates for nomination for any office have duly filed the above mentioned statements and petitions, the city clerk in his published statement shall declare that whereas not more than two candidates for nomination have duly filed the statements and petitions as required by the city charter, no preliminary election shall be held, and the candidates whose names appear in this statement are thereby declared to be nominated for the offices and terms for which they are candidates. If there are more than two candidates for nomination for any office, then', so that said section shall read as follows:

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'Sec. 13. When there is no competition for nomination. On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above described statements and petitions, the city clerk shall cause to be published in one daily newspaper published in this city, if there be any, otherwise in the nearest daily newspaper published in Kennebec county, the names and residences of the candidates for nomination who have duly filed the above mentioned statements and petitions, and the offices and terms for which they are candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election for nominations. But where not more than two candidates for nomination for any office have duly filed the above mentioned statements and petitions, the city clerk in his published statement shall declare that whereas not more than two candidates for nomination have duly filed the statements and petitions as required by the city charter, no preliminary elections shall be held, and the candidates whose names appear in this statement are thereby declared to be nominated for the offices and terms for which they are candidates. If there are more than two candidates for nomination for any office then the city clerk shall thereupon prepare the ballots to be used at such preliminary election for nominations and shall cause them to be printed and the ballots so prepared shall be the official ballots and the only ballots used at such preliminary election for nominations. They shall be headed on the face of the ballot as follows:

Official Nominating Ballot.

Candidates for nomination for (mayor, alderman of public safety and charities, alderman of streets and highways—using titles of any one, two, or all three as occasion requires) of the city of Gardiner at a preliminary election for nominations held on the day of in the year 19.., and on the back have the following heading:

CITY OF GARDINER.
 OFFICIAL NOMINATING BALLOT.
 PRELIMINARY ELECTION.

(Month) (Day) (Year)
 Attest:..... City Clerk.'

Sec. 4. P. & S. L., 1913, c. 244, § 20, amended. Section twenty of said act is hereby amended by inserting after the word "election" and before the word "and" in the ninth line the following: 'or who have been declared nominated by the city clerk as hereinbefore provided,' so that said section twenty shall read as follows:

'Sec. 20. Names of persons declared nominated by clerk to be appended. On the tenth and two succeeding days, not being Sundays or legal holidays, preceding the day fixed for an annual or special city election, the city clerk shall cause to be published in one daily newspaper published in the city, if there be any, otherwise in the nearest daily newspaper published in Kennebec county, a call for such election and shall append thereto the names and residences of the candidates nominated at the preliminary election for nominations held for such election, or who have been declared

nominated by the city clerk as hereinbefore provided, and the offices and terms for which they are candidates, as they are to appear on the official ballots to be used at such election. He shall also, at the same time, cause the chief of police or a police officer to post a copy of said call for election and list of candidates, printed in like form, at all the polling places in the city, and make return of his doings.'

Sec. 5. P. & S. L., 1913, c. 24, amended. Section twenty-four of said act is hereby amended by adding the following: 'or by declaration of the city clerk,' at the end of said section, so that the last sentence of said section shall read as follows:

'Name of persons declared nominated by city clerk to be printed on ballot. The name of no candidate other than that of the person whose removal is sought shall be printed on the official ballots to be used at such election, unless such candidate be nominated as hereinbefore provided at a preliminary election for nominations, or by declaration of the city clerk.'

Sec. 6. Referendum provision. This act shall take effect as to the city of Gardiner upon its acceptance by a majority of the voters of the city of Gardiner voting thereon at the first special or annual election of the city of Gardiner that is held for any purpose at which this act may be legally voted upon. The vote shall be taken by ballot in answer to the question: "Shall an Act passed by the legislature in the year nineteen hundred seventeen entitled 'An Act to Amend Chapter Two Hundred Forty-Four, entitled "An Act to Provide a Charter for the City of Gardiner" of the Private and Special Laws of Nineteen Hundred Thirteen,' be accepted?" which shall be printed on the official ballot.

Sec. 7. Referendum not applicable to Sec. 16. This act shall take effect in ninety days after the final adjournment of the legislature, so far as is necessary for the election as authorized by section six.

Approved March 29, 1917.

Chapter 127.

An Act to Extend the Charter of the Casco Bay Water Company.

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

Sec. 1. Charter extended two years. The charter granted to the Casco Bay Water Company by chapter two hundred seventy-four of the private and special laws of nineteen hundred eleven is hereby extended for two years from the time this act takes effect.

Sec. 2. Existing statutes continued in force. Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 29, 1917.