

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-First
Legislature

1923

Chapter 13.

An Act to Amend the Charter of the City of Brewer.

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

Sec. 1. P. & S. L., 1889, c. 453, sec. 7; relating to election of city officers, amended. Section seven of chapter four hundred and fifty-three, of the private and special laws of eighteen hundred and eighty-nine, is hereby amended by striking out in the seventh line thereof the word "March" and inserting in place thereof the word 'January', so that said section, as amended, shall read as follows:

'**Sec. 7. Beginning of terms of office changed from March to January.** The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. Two aldermen, a warden and ward clerk shall be elected by each ward, being residents in the ward where elected. All said officers shall be elected by ballot, by a plurality of the votes given, and shall hold their office one year from the third Monday in January, except wardens and ward clerks, who shall hold their office until others shall be elected and qualified in their places.'

Sec. 2. P. & S. L., 1889, c. 453, sec. 8; relating to annual city election, amended. Section eight, of said chapter four hundred and fifty-three, of the private and special laws of eighteen hundred and eighty-nine, is hereby amended by striking out in the first line thereof the word "March" and inserting in place thereof the word 'December'; and by striking out in the thirty-first line thereof, the word "March" and inserting in place thereof the word 'January', so that said section, as amended, shall read as follows:

'**Sec. 8. Annual election changed from March to December; aldermen to qualify on third Monday in January.** On the second Monday in December, annually, after the first election under this charter, the qualified electors of each ward shall ballot for a mayor, two aldermen and a warden and ward clerk, on one ballot. All the votes given for the said several officers respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given for each, to be written on the ward records at length. The ward clerk within twenty-four hours after such election, shall deliver to the persons elected aldermen, warden and ward clerk, certificates of their election, and shall forthwith deliver to the city clerk a certified copy of the records of such election; provided, however, that if the choice of aldermen, warden or ward clerk is not effected on that day, the meeting shall be adjourned from day to day, until a choice shall be effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as afore-

said, and shall cause the person who shall have received the greatest number of votes given for mayor in all the wards, to be notified in writing, of his election; but if it shall appear that no person shall have been so elected or if the person elected shall refuse to accept said office, the said board shall issue their warrant for another election; and in case of a vacancy in the office of mayor, by death or otherwise, it shall be filled for the remainder of the term by a new election, in the manner heretofore provided for the choice of said mayor. The oath or affirmation prescribed by this act shall be administered to the mayor by the city clerk, or any justice of the peace in said city. The aldermen elect shall, on the third Monday in January, at ten o'clock in the forenoon, meet when the oath or affirmation required by the second section of this act, shall be administered to the members present, by the mayor or any justice of the peace.'

Sec. 3. P. & S. L., 1889, c. 453, sec. 11; relating to election of subordinate city officers, amended. Section eleven, of the said chapter four hundred and fifty-three, of the private and special laws of eighteen hundred and eighty-nine is hereby amended by striking out in the third line thereof, the word "March" and inserting in place thereof the word 'January,' so that said section, as amended, shall read as follows:

'Sec. 11. City council to elect subordinate officers in January. The city council shall, in the first instance, on the last Saturday of March, and thereafter annually, on the third Monday in January, or as soon thereafter as may be convenient, by ballot elect, for the ensuing year the following officers: a city clerk, a city treasurer, a chief of police, who shall be styled the city marshal, and who shall exercise all the powers and perform all the duties of a constable; one overseer of the poor, one assessor of taxes, a road commissioner, a collector of taxes, a school agent, one member of the superintending school committee, or a supervisor, a pound keeper, and one or more city constables. All said officers and agents shall hold their offices during the ensuing year, and until others are elected and qualified in their stead, unless sooner removed by the city council; and all moneys received and collected for and on account of the city, by an agent or officer thereof, shall forthwith be paid into the city treasury. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability, by requiring bonds with sufficient penalties and sureties, from all persons trusted with the receipt or custody of the public money; shall have the care and superintendence of the city public buildings, and the custody and management of all city property, with the power to let or sell what may be legally let or sold, and to purchase in the name of the city such real or personal property, not exceeding the sum of one hundred thousand dollars, including the property now owned by the city, as they

CHAP. 14

deem of public utility. And the city council shall, as often as once a year, cause to be published, for the information of the inhabitants, an account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the city treasury, unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn.

Sec. 4. Terms of present mayor and aldermen to expire 3d Monday in January 1924. On the third Monday in January, nineteen hundred and twenty-four, upon the inauguration of the new city government, the terms of office of those then holding the office of mayor and aldermen, shall cease, provided that their respective successors shall have then been legally elected and sworn in.

Sec. 5. Terms of subordinate officers to expire on 3d Monday in January. The terms of office of all members of boards or of subordinate officers elected by the city council to serve until March, nineteen hundred and twenty-four, shall expire on the third Monday in January, nineteen hundred and twenty-four, and the terms of those so elected to serve for a term extending beyond March, nineteen hundred and twenty-four, shall expire on the third Monday in January next prior to the end of the term for which they were so elected.

Sec. 6. Subject to local referendum. This act shall not take effect unless at the regular election in said city in March in the year nineteen hundred and twenty-three a desire for this adoption shall have been manifested by the majority of the legal votes cast on the question, which question shall have been submitted to the people at said election after such notice as may be required by the municipal officers of said city.

Approved February 22, 1923.

Chapter 14.

An Act to Amend the Charter of the Dover and Foxcroft Water District.

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

P. & S. L., 1905, c. 54, sec. 6; P. & S. L., 1911, c. 285; relating to issuing bonds by district, amended. Section six of chapter fifty-four of the private and special laws of nineteen hundred and five as amended by section two of chapter two hundred and eighty-five of the private and special laws of nineteen hundred and eleven, is hereby further amended, by striking out in the second line thereof the word "amount," and inserting in place thereof the word 'amounts,' and is hereby further amended, by inserting