

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE

EXTRA SESSION OF 1853, AND SESSION OF 1854.



Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

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# THIRTY-THIRD LEGISLATURE.

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HOUSE.

No. 21.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FIFTY-FOUR.

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AN ACT to incorporate the city of Rockland.

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

SECTION 1. The inhabitants of the town of Rock-  
2 land, in the county of Lincoln, shall continue to be a  
3 body politic and corporate, by the name of the city  
4 of Rockland, and as such, shall have, exercise, and  
5 enjoy, all the rights, immunities, powers, privileges,  
6 and franchises, and be subject to all the duties and  
7 obligations now appertaining to, or incumbent on,  
8 said town, as a municipal corporation, or appertain-  
9 ing to, or incumbent upon, the inhabitants or select-  
10 men thereof; and may ordain and publish such acts,

11 laws and regulations, not inconsistent with the con-  
12 stitution and laws of this state, as shall be needful to  
13 the good order of said body politic ; and may impose  
14 fines and penalties for the breach thereof, not exceed-  
15 ing twenty dollars for any one offense, which may be  
16 recovered to the use of said city, by action of debt,  
17 or on complaint before the police court of said city.

SECT. 2. The administration of all the fiscal, pru-  
2 dential, and municipal affairs of said city, with the  
3 government thereof, shall be vested in one principal  
4 magistrate, to be styled the mayor, and one council of  
5 seven, to be denominated the board of aldermen, and  
6 one council of twenty-one, to be denominated the  
7 common council ; all of whom shall be inhabitants of  
8 said city ; which boards shall constitute and be called  
9 the city council ; all of whom shall be sworn to the  
10 faithful performancé of the duties of their respective  
11 offices. *Provided*, the city council shall not vote,  
12 assess, or appropriate any money for any object or  
13 purpose, for which the town of Rockland is not au-  
14 thorized to vote, assess, or appropriate money, except  
15 for such purposes as are authorized by this act ; and  
16 *provided further*, that neither the city council, nor any  
17 agent or officer of the city, shall borrow or hire

18 money for or on account of the city or inhabitants  
19 thereof, except for the purposes for which the town  
20 of Rockland is now, by law, authorized to raise  
21 money; and all notes, bonds, obligations, scrip, or  
22 orders, given by the city council, or any officer  
23 or agent thereof, for money or property obtained for  
24 any other purposes, shall be void.

SECT. 3. The mayor of said city shall be the chief  
2 executive officer thereof; it shall be his duty to be  
3 vigilant and active in causing the laws and regulations  
4 of the city to be executed and enforced; to exercise  
5 a general supervision over the conduct of all subordi-  
6 nate officers, and to cause their violations or neglect  
7 of duty to be punished. He may call special meet-  
8 ings of the board of aldermen and common council,  
9 or either of them, when in his opinion the interests of  
10 the city require it, by a notice in one or more of the  
11 papers, or by causing a summons or notification to  
12 be given in hand or left at the last and usual place of  
13 abode of each member of the board or boards to be  
14 convened. He shall from time to time, communicate  
15 to both of them such information, and recommend  
16 such measures as the business and interests of the city  
17 may require. He shall preside in the board of alder-

18 men, and in the joint meetings of the two boards,  
19 but shall have only a casting vote. The salary of the  
20 mayor shall be two hundred dollars per year, which  
21 shall not be increased or diminished, during his con-  
22 tinuance in office, unless by the votes of the qualified  
23 electors in ward meetings called for the purpose.  
24 Nor shall he receive from the city any other compen-  
25 sation for any service by him rendered in any other  
26 capacity or agency. *Provided, however,* the city  
27 council may elect the mayor to any city office and  
28 allow him a reasonable compensation for such ser-  
29 vice. But the aldermen and common councilmen  
30 shall receive no compensation for their services as  
31 such.

SECT. 4. The executive powers of said city gener-  
2 ally, and the administration of police, with all the  
3 powers of the selectmen of the town of Rockland,  
4 shall be vested in the mayor and aldermen, as fully as  
5 if the same had been herein particularly enumerated ;  
6 all other powers now vested in the inhabitants of said  
7 town and all powers granted by this act shall be vested  
8 in the mayor and aldermen and common council of  
9 said city, to be exercised by concurrent vote ; each  
10 board to have a negative upon the other ; but all

11 elections of officers by the city council shall be by  
12 joint ballot of the two boards in convention. The  
13 city council shall, annually, on the first Monday in  
14 March, or as soon thereafter as may be convenient,  
15 elect and appoint for the ensuing year all the subor-  
16 dinate officers and agents for the city, including a  
17 chief engineer, and other necessary engineers of the  
18 fire department, which chief engineer, and in his  
19 absence the subordinate engineers, shall have all the  
20 power and authority that fire wards now have ; shall  
21 define their duties, fix their compensation, and may  
22 by concurrent vote, remove officers when in their  
23 opinion sufficient cause for their removal exists.  
24 All officers shall be chosen, and vacancies supplied,  
25 for the current year, except as herein otherwise pro-  
26 vided. All the said subordinate officers and agents,  
27 shall hold their offices during the ensuing year, and  
28 till others shall be elected and qualified in their stead,  
29 unless sooner removed by the city council ; and all  
30 moneys received and collected for and on account of  
31 the city, by any officer or agent thereof, shall forth-  
32 with be paid into the city treasury. The city council  
33 shall take care that moneys shall not be paid from the  
34 treasury unless granted or appropriated ; shall secure

35 a prompt and just accountability by requiring bonds  
36 with sufficient penalties and sureties, from all persons  
37 trusted with the receipt or custody of the public  
38 money ; shall have the care and superintendence of  
39 the city public buildings, and the custody and man-  
40 agement of all city property, with power to let or sell  
41 what may be legally let or sold ; and to purchase in  
42 the name of the city, such real or personal property,  
43 not exceeding the sum of twenty thousand dollars,  
44 including the property now owned by the town, as  
45 they may deem of public utility. And the city  
46 council shall, as often as once a year, cause to be  
47 published for the information of the inhabitants, an  
48 account of receipts and expenditures, and a schedule  
49 of the city property ; and no money shall be paid  
50 from the treasury unless the same be appropriated by  
51 the city council, and upon a warrant signed by the  
52 mayor, which warrant shall state the appropriation  
53 un er which the same is drawn. •

SECT. 5. Every law, act, ordinance or bill, appro-  
2 priating money, having passed both branches of the  
3 city council, shall be presented to the mayor, and if  
4 he approve the same, he shall sign it ; if not, he shall  
5 return it, in seven days, with his objections, to that



6 branch of the city council in which it originated,  
7 which branch shall enter the objections at large upon  
8 its journals, and proceed to reconsider said law, act,  
9 ordinance or bill. If upon such reconsideration, a  
10 majority of the whole number of that branch shall  
11 agree to pass it, it shall be sent, together with the  
12 objections, to the other branch, by which it shall  
13 be reconsidered, and if approved by a majority of the  
14 whole of that branch, it shall have the same binding  
15 force and effect as if signed by the mayor.

SECT. 6. The city assessors, who shall be annually  
2 appointed by the city council, shall execute and be  
3 subject to the same powers, duties, and liabilities, that  
4 the assessors in the towns in this state may exercise,  
5 and be subject to. *Provided, however,* that the city  
6 council may appoint one person in each ward, whose  
7 duty it shall be to furnish the assessors with all neces-  
8 sary information relative to persons and property,  
9 taxable in his ward, and who shall be sworn to the  
10 faithful performance of his duty. All taxes shall be  
11 assessed, apportioned, and collected, in the manner  
12 prescribed by the laws of this state relative to town  
13 taxes: *provided, however,* that it shall, and may be  
14 lawful, for the city council to establish further and

15 additional regulations and provisions for the collection  
16 thereof.

SECT. 7. The city council shall have exclusive  
2 power and authority to lay out any new street, or  
3 public way, or widen, or otherwise alter, or discon-  
4 tinue any street, or way, in said city, and to estimate  
5 the damage any person may sustain thereby, and shall  
6 in all other respects be governed by, and be subject  
7 to, such rules and restrictions as are, by law, provided  
8 in this state for regulating the laying out of public  
9 highways and repairing streets. And any person  
10 aggrieved by the decision or judgment of said city  
11 council, may, as far as relates to damages, have them  
12 assessed by a committee or jury, as is now by law  
13 provided ; and the county commissioners for Lincoln  
14 county shall have power to lay out within said city,  
15 any part of any new county road that shall by them  
16 be laid out in any adjoining town or towns, and  
17 shall pass thence into or through said city, according  
18 to the provisions of law ; and any highway, or town  
19 way, or bridge, which has been, or may hereafter be,  
20 located within said town or city, between high and  
21 low water mark, shall, nevertheless, be deemed to be  
22 legally located and established.

SECT. 8. It shall be lawful for the city council, by  
2 a committee by them appointed, or by instructions to  
3 the commissioners of streets, to appropriate, set off,  
4 and reserve as side walks, such part or portions of  
5 the several streets in said city, now or hereafter to be  
6 established, as to said council may appear necessary  
7 for the safety, convenience and accommodation of  
8 foot passengers. It shall be lawful for the city coun-  
9 cil to permit or direct posts of wood, or stone, or trees  
10 to be placed along the edge of said side walk next to  
11 the traveled part of the street, in such number and  
12 manner as they may deem necessary to protect said  
13 side walks, and the persons traveling thereon, from  
14 damage or inconvenience from teams or carriages.  
15 So much of the several streets in said city as shall be  
16 appropriated and reserved as side walks, agreeable to  
17 the provisions of this act, shall be taken and deemed  
18 to be reserved exclusively for the accommodation,  
19 convenience and use of persons traveling on foot ;  
20 and said city shall not be liable for any injury or dam-  
21 age done or occasioned in consequence of any cart,  
22 carriage, wagon, truck or other vehicle, or any team  
23 or animal striking against any of said side walks, or  
24 the posts or trees set or placed to defend the same.

25 The several side walks on the streets in said city, as  
26 at present established or used, or as they may be es-  
27 tablished at the acceptance of this act, shall be taken  
28 and deemed to be the proper and lawful reservation  
29 for that purpose, until altered or otherwise established  
30 by the proper authority.

SECT. 9. The city council shall have power, on  
2 such terms and conditions as they may think proper,  
3 to authorize, or empower any person or corporation  
4 to place in any street, for such time as may be neces-  
5 sary, any materials for making or repairing any street  
6 or side walk, cross walk, bridge, water course, or  
7 drain, or for erecting, repairing or finishing any  
8 building or fences; *provided*, that not more than  
9 one-third of the width of the street shall be so occu-  
10 pied; and such materials so placed by virtue of any  
11 license obtained as aforesaid, shall not be considered  
12 as an incumbrance or nuisance in such street, and  
13 the city or person or corporation so placing the same  
14 shall not be liable for any damage occasioned by such  
15 materials.

SECT. 10. All the laws and regulations now in  
2 force in said town of Rockland, shall, notwithstand-  
ing this act, be and remain in force until they expire

4 by their own limitations, or be revised or repealed by  
5 the city council ; and prosecutions and suits may be  
6 commenced and proceedings had thereon in the  
7 name of the city, by officers or other persons thereby  
8 empowered or directed to prosecute and sue ; and  
9 the fines and penalties shall go to the uses in such  
10 laws or regulations named according to law.

SECT. 11. A police court shall be, and is hereby  
2 established, in and for the city, to be called the munic-  
3 ipal court of the city of Rockland ; to consist of one  
4 judge, who shall be appointed and commissioned in  
5 the manner provided by the constitution, who shall  
6 have concurrent jurisdiction with justices of the peace,  
7 in all matters, civil and criminal, under twenty dol-  
8 lars, within the county of Lincoln, and shall have  
9 original and exclusive jurisdiction in all civil actions  
10 in which both parties interested, or in which the  
11 party, plaintiff, and the person or persons summoned  
12 as trustees, shall be inhabitants of or residents of said  
13 city of Rockland, excepting all actions in which said  
14 judge may be interested ; and said court shall have  
15 concurrent jurisdiction with justices of the peace and  
16 quorum, in all cases of forcible entry and detainer,  
17 arising in said county, and original and exclusive

13 jurisdiction in all such cases arising in the city, and  
19 shall also have original and exclusive jurisdiction in  
20 all cases of violation of the by-laws of said city. And  
21 any person aggrieved by any judgment awarded by  
22 said court, may appeal therefrom, in like manner as  
23 if the same had been awarded by any justice of the  
24 peace, or justices of the peace and quorum.

SECT. 12. It shall be the duty of said court to keep  
2 its own records, which records shall be such as would  
3 be legal records in a court of a justice of the peace.  
4 And copies of the records of said court, duly certi-  
5 fied, shall be evidence in the other courts of this state.  
6 Said court shall be holden on the first and third Mon-  
7 days of each month, at nine of the clock in the fore-  
8 noon, at such place as the city shall provide for the  
9 purpose, for the transaction of civil business; and all  
10 civil processes shall be made returnable accordingly.  
11 And the fees in all cases, civil and criminal, shall be  
12 the same as are now taxable by justices of the peace:  
13 *provided*, that the price of blank writs, signed by said  
14 judge, shall be one cent. And all fines, penalties and  
15 costs, which may be awarded by said court, in the  
16 administration of its criminal jurisdiction, shall be  
17 accounted for and paid over by said judge, in the

18 same manner as if the same had been awarded by  
19 the sentence of a justice of the peace.

SECT. 13. In case of the death, sickness, or other  
2 disability of the judge, to attend at the time and place  
3 as provided in the preceding section for the transac-  
4 tion of civil business, the said court shall stand ad-  
5 journed till the next term of said court, and so from  
6 time to time, without costs to either party, until the  
7 judge is able to attend, and in case of disability to  
8 perform the other duties of his office, the criminal  
9 jurisdiction of said court shall devolve upon the justi-  
10 ces of the peace for the county of Lincoln; and all  
11 proceedings instituted during such disability, shall be  
12 finally determined by the justices instituting the same.

SECT. 14. The city of Rockland shall have power,  
2 and it shall be its duty, to raise money to provide a  
3 suitable room in which to hold said court, and to  
4 furnish the same in an appropriate manner. The  
5 judge of said municipal court shall receive from the  
6 said city of Rockland, in quarter yearly payments, an  
7 annual salary of such amount as the city council shall  
8 vote and determine; which shall be in full for all fees  
9 pertaining to said office. And the said judge shall  
10 not act as counsel or attorney, in any case within the

11 jurisdiction of said court, nor in any suit, matter or  
12 thing which may depend on or have relation to any  
13 case, matter or thing depending or cognizable in said  
14 court.

SECT. 15. All actions, suits, matters and things,  
2 which may be pending before justices of the peace in  
3 the town of Rockland, and all writs, executions,  
4 warrants, recognizances and processes, returnable to  
5 said justices when this act takes effect, shall be  
6 returnable to them in like manner as if it had not  
7 taken effect; and said justices shall have full power  
8 and authority to grant execution and to carry into  
9 effect any judgment rendered by them, and to com-  
10 plete all processes commenced by or before them, in  
11 the same manner as they might have done had not  
12 this act have passed.

SECT. 16. For election purposes, said city shall be  
2 divided into seven wards, to contain as near as con-  
3 veniently may be, an equal number of legal voters;  
4 and it shall be the duty of the city council, once in  
5 ten years, and not oftener than five years, to review,  
6 and if it be needful, to alter said wards, in such man-  
7 ner as to preserve as nearly as may be, an equal  
8 number of voters in each ward. In each of said



9 wards there shall, annually, on the first Monday of  
10 March, be chosen, by ballot, a warden and clerk, who  
11 shall hold their offices for one year, and until others  
12 have been chosen and qualified in their stead. Said  
13 warden and clerk shall be sworn to the faithful per-  
14 formance of their duty, by any justice of the peace  
15 of said city, or by the person presiding in said meet-  
16 ing, or by the clerk of said ward, and a certificate of  
17 such oath having been administered, shall be entered  
18 by the clerk on the records of said ward. The  
19 wardens shall preside at all ward meetings, with the  
20 powers of moderators of town meetings; and if at  
21 any meeting the warden shall not be present, the  
22 clerk of the ward shall call the meeting to order and  
23 preside till a warden pro tem. shall be chosen. If  
24 neither the warden nor clerk shall be present, any legal  
25 voter in the ward may preside till a clerk pro tem.  
26 shall be chosen and qualified. The clerk shall record  
27 all the proceedings and certify the votes given, and  
28 deliver over to his successor in office, all such records  
29 and journals, together with all other documents and  
30 papers, held by him in said capacity. The inhabitants  
31 of each ward may choose two persons to assist the  
32 warden in receiving, sorting and counting the votes.

33 The list of the names of the legal voters in each ward  
34 shall be prepared by the assessors and board of alder-  
35 men, assisted by the wardens, in the same manner,  
36 and under the same restrictions, as are imposed by  
37 the laws of this state on the assessors and selectmen  
38 of towns ; and all regular ward meetings shall be no-  
39 tified and called by the mayor and aldermen in the  
40 manner provided in the laws of this state for notifying  
41 and calling town meetings by the selectmen of the  
42 several towns, excepting that ward meetings for the  
43 election of mayor after the second trial may be called  
44 within the time provided in such cases in this act.

SECT. 17. The mayor shall be elected from the  
2 citizens at large, by the inhabitants of the city voting  
3 in their respective wards. One alderman and three  
4 common councilmen shall be elected by each ward,  
5 being residents in the wards where elected. All said  
6 officers shall be elected by ballot, by a majority of the  
7 votes given, and shall hold their office one year from  
8 the first Monday of March, and until others shall be  
9 elected and qualified in their places.

SECT. 18. At the annual election, holden for the  
2 choice of mayor and aldermen, the qualified electors  
3 in each ward shall by ballot elect a constable, who

4 shall be denominated city constable, with all the  
5 powers, duties and liabilities, pertaining to the office  
6 of constable.

SECT. 19. On the first Monday of March annually,  
2 immediately after a warden and clerk shall have been  
3 chosen and sworn, the qualified electors of each ward  
4 shall ballot for a mayor, one alderman and two com-  
5 mon councilmen; all the votes given for the said  
6 several officers respectively shall be sorted, counted,  
7 declared and registered in open ward meeting, by  
8 causing the names of the persons voted for, and the  
9 number of votes given for each, to be written on the  
10 ward records at length. The ward clerk within  
11 twenty-four hours after such election shall deliver to  
12 the persons elected alderman and common council-  
13 men, certificates of their election, and shall forthwith  
14 deliver to the city clerk a certified copy of the record  
15 of such election: *provided, however,* that if the choice  
16 of aldermen and common councilmen cannot be con-  
17 veniently effected on that day, the meeting may  
18 adjourn from day to day to complete such election.  
19 If on the second balloting for any alderman, common  
20 councilmen, constable, warden or clerk, a choice  
21 shall not be effected by a majority vote, then the

22 person having the greatest number of votes for any  
23 of those offices, at a subsequent trial, shall be declared  
24 elected; if no one shall then have such highest num-  
25 ber, the balloting shall be continued from day to day,  
26 till a choice shall thus be effected. The board of  
27 aldermen shall as soon as conveniently may be, ex-  
28 amine the copies of the records of the several wards,  
29 certified as aforesaid, and shall cause the person  
30 who shall have been elected mayor, by a majority of  
31 votes given in all the wards, to be notified in writing  
32 of his election; but if it shall appear that no person  
33 shall have been elected, or if the person elected shall  
34 refuse to accept said office, the said board shall issue  
35 their warrants for one other election; and in case  
36 the citizens should fail on a second trial to elect a  
37 mayor, the said board shall again issue their warrants  
38 for a third election, to be held not less than three nor  
39 more than four days thereafter; at which election,  
40 the candidate having the greatest number of votes  
41 shall be declared elected, and shall be notified as  
42 aforesaid; if no one shall then have such number,  
43 further elections shall in like manner be ordered, till  
44 a choice shall be made, by some one having the  
45 highest number of votes; and in case of a vacancy

46 in the office of mayor, by death or otherwise, it shall  
47 be filled for the remainder of the term by a new  
48 election, in the manner heretofore provided for in  
49 the choice of said mayor; and in the meantime, the  
50 president pro tempore of the board of aldermen shall  
51 perform the duties of mayor. The oath prescribed  
52 by this act, shall be administered to the mayor by the  
53 city clerk, or any justice of the peace in said city.  
54 The aldermen and common councilmen elect shall,  
55 on the second Monday of March, at ten-of the  
56 clock in the forenoon, meet in convention, when the  
57 oath required by the second section of this act shall  
58 be administered to the members of the two boards  
59 present, by the mayor or any justice of the peace,  
60 and thereupon the two boards shall separate, and the  
61 board of common council shall be organized by the  
62 election of a president and clerk.

SECT. 20. The city clerk shall be the clerk to the  
2 board of aldermen; he shall perform such duties as  
3 shall be prescribed by the board of aldermen, or com-  
4 mon council, and shall perform all the duties, and  
5 exercise all the powers, by law incumbent upon, or  
6 vested in the town clerk of the town of Rockland;  
7 he shall give notice in one of the papers printed in

8 the city, of the time and place of regular ward meet-  
9 ings; but the place of regular ward meetings, and  
10 also the day and hour, when not fixed by law, shall  
11 be determined by the board of aldermen. The board  
12 of aldermen may, in the absence of the mayor, choose  
13 a president pro tempore, who shall preside at joint  
14 meetings of the two boards; each board shall keep a  
15 record of its proceedings, and judge of the election  
16 of its own members; and in case of failure to elect,  
17 or vacancy by death or otherwise, may order new  
18 elections. A quorum for the transaction of busi-  
19 ness shall, in each board, consist of a majority  
20 thereof; all meetings of the aldermen and common  
21 council, and all meetings of the two boards in con-  
22 vention, shall be open and public; and the presiding  
23 officer of each of them shall have the powers of  
24 moderators of town meetings. At either of said  
25 meetings, when any two members shall request it, the  
26 vote shall be taken by yeas and nays, which vote  
27 shall be recorded by the clerk.

SECT. 21. General meetings of the citizens, quali-  
2 fied to vote in city affairs, may, from time to time, be  
3 held to consult upon the public good; to instruct  
4 their representatives, and to take all lawful measures

5 to obtain redress of any grievances, according to the  
6 right secured to the people by the constitution ; and  
7 such meetings shall be called by the mayor and alder-  
8 men, at the request, in writing, of any thirty legal  
9 voters of said city.

SECT. 22. It shall be the duty of the selectmen of  
2 the town of Rockland, as soon as may be, after this  
3 act shall have been accepted as hereinafter provided,  
4 to cause a division of said town into seven wards, in  
5 such manner as to include as nearly as conveniently  
6 may be, consistent with well defined limits to each  
7 ward, an equal number of voters in each ward.

SECT. 23. For the purpose of organizing the sys-  
2 tem of government hereby established, and putting  
3 the same in operation in the first instance, the select-  
4 men of the town, for the time being, shall, seasona-  
5 bly, before the first Monday of March next, after the  
6 acceptance of this charter, issue their warrants call-  
7 ing meetings of the legal voters, at such time and  
8 place, on said day, as they shall think expedient, for  
9 the purpose of choosing a warden and clerk for each  
10 ward, and also to give in their votes for mayor, to be  
11 taken from the city at large, and one alderman, and  
12 two common councilmen, and one constable for each

13 ward ; the transcript of the records of each ward,  
14 specifying the votes given for mayor, one alderman,  
15 and two common councilmen, and one constable,  
16 certified by the warden and clerk of said ward, shall,  
17 at said first election, be returned to the said select-  
18 men of Rockland, whose duty it shall be to examine  
19 and compare the same ; and in case such election  
20 shall not be completed at the first election, then to  
21 issue a new warrant, until such election shall be com-  
22 pleted, according to the provisions of this act, and to  
23 give notice thereof in the manner hereinbefore  
24 directed, to the several persons elected. And at said  
25 first meeting, any legal voter in said town, may call  
26 the citizens to order, and preside till a warden shall  
27 have been chosen ; and at said first meeting, a list of  
28 voters in each ward, prepared by the selectmen of the  
29 town of Rockland, for the time being, shall be de-  
30 livered to the clerk of each ward, when elected, to be  
31 used as provided by law in town meetings ; and it  
32 shall be the duty of the city council, in convention,  
33 immediately after the first organization, to elect, by  
34 ballot, a city clerk, and all other necessary city offi-  
35 cers, who shall hold their offices respectively until  
36 others are chosen and qualified in their places.



SECT. 24. The city council shall have authority to  
2 establish and make regulations for the measurement  
3 and sale of wood and bark in said city, whether  
4 brought by land or water; and may affix suitable  
5 penalties for the violation thereof, anything in the  
6 public laws of the state to the contrary notwithstanding.

SECT. 25. The city council are hereby authorized  
2 and empowered to pass any ordinance, or ordinances,  
3 regulating, or forbidding the erection of wooden  
4 buildings, on any street, or streets, in said city, when  
5 they may deem it necessary, or conducive to the  
6 public safety.

SECT. 26. The city council may make and estab-  
2 lish such ordinances or regulations as they may deem  
3 for the public good, for the regulation of carts, drays  
4 or other teams in said city, by prescribing the width  
5 of tire that shall be used.

SECT. 27. This act shall take effect, and be in full  
2 force, when the same shall have been accepted by  
3 the inhabitants of said town, qualified to vote in town  
4 affairs, at a legal meeting called for that purpose;  
5 *provided*, it shall be accepted within five years from  
6 the passage of this act; but not more than one meet-  
7 ing for that purpose shall be called in any one year.

3 And at such meeting the inhabitants of said town  
4 shall vote by a written ballot, those in favor of  
5 accepting this act, having on the ballot the word  
6 “Yes,” and those opposed, having on the ballot the  
7 word “No”; and if a majority of all the ballots  
8 received are in favor of accepting the same, it shall  
9 then become a law, and take effect. And it shall be  
10 the duty of the clerk of said town to file a copy of  
11 the record of the vote of said town, accepting the  
12 same, with the clerk of the city of Rockland when  
13 elected, who shall transcribe such copy into the  
14 records of the city, and such record shall be con-  
15 clusive evidence that this act has been accepted.

SECT. 23. All acts and parts of acts inconsistent  
1 with this act are hereby repealed, from and after the  
2 time when this act shall have been accepted, as afore-  
3 said, and the government shall have been organized  
4 as herein provided.

IN SENATE, March 25, 1854.

This bill, having had two several readings, passed to be en-  
grossed. Sent down for concurrence.

WILLIAM TRAFTON, *Secretary.*

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 27, 1854. }

ORDERED, That 350 copies of the foregoing bill be printed  
for the use of the Legislature.

JOHN J. PERRY, *Clerk.*