

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

DURING ITS SESSION

A. D. 1855.

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AUGUSTA:

STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

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# THIRTY-FOURTH LEGISLATURE.

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SENATE.

NO. 1.

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## STATE OF MAINE.

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

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AN ACT to incorporate the City of Biddeford.

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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 Biddeford, in the County of York, shall continue to be a body politic and corporate by the name of the City of Biddeford: and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to or incumbent upon the inhabitants or selectmen thereof; and

9 may ordain and publish such acts, laws and regula-  
10 tions, not inconsistent with the constitution and laws  
11 of this State, as shall be needful to the good order of  
12 said body politic ; and impose fines and penalties for  
13 the breach thereof, not exceeding twenty dollars for any  
14 one offence, which may be recovered to the use of said  
15 city, by action of debt, or on complaint before the  
16 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 five, to be denominated the Board of Aldermen ; and  
6 one Council of ten, to be denominated the Common  
7 Council, all of whom shall be inhabitants of said city,  
8 which boards shall constitute and be called the City  
9 Council ; all of whom shall be sworn to the faithful  
10 performance of the duties of their respective offices :  
11 *Provided*, the City Council shall not vote, assess or  
12 appropriate any money for any object or purpose for  
13 which the town of Biddeford is not authorized to vote,  
14 assess or appropriate money, except for such purposes  
15 as are authorized by this act. And *provided further*,

16 that neither the City Council, nor any agent or officer  
17 of the city, shall borrow or hire any money for or on  
18 account of the city or inhabitants thereof, except for the  
19 purposes for which the town of Biddeford is now by law  
20 authorized to raise money; and all notes, bonds, obli-  
21 gations, scrip or orders given by the City Council or  
22 any officer or agent thereof, for money or property  
23 obtained for any other purposes, shall be void.

SECT. 3. The Mayor of said city shall be the Chief  
2 Executive Magistrate 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 a  
5 general supervision over the conduct of all subordinate  
6 officers, and to cause their violations or neglect of duty  
7 to be punished. He may call special meetings of the  
8 board of Aldermen and Common Council, or either of  
9 them, when in his opinion the interests of the city  
10 require it, by a notice in one or more of the papers  
11 printed in the city, or by causing a summons or notifi-  
12 cation to be give in hand or left at the usual dwelling  
13 place 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 such

16 measures as the business and interests of the city may  
17 in his opinion require. He shall preside in the Board  
18 of Aldermen and in the joint meetings of the two  
19 boards, but shall have only a casting vote. The sal-  
20 ary and compensation of the Mayor shall be two hun-  
21 dred dollars per year, which shall not be increased or  
22 diminished during his continuance in office, unless by  
23 the vote of the qualified electors in ward meetings  
24 called for the purpose. Nor shall he receive from the  
25 city any other compensation for any service by him  
26 rendered in any other capacity or agency: *provided*  
27 *however*, the City Council may elect the Mayor to any  
28 city office, and allow him a reasonable compensation for  
29 such services: but the Aldermen and Common Coun-  
30 cilmen shall receive no compensation for their services  
31 as 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 Biddeford, shall  
4 be vested in the Mayor and Aldermen as fully as if  
5 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

8 vested in the Mayor and Aldermen and Common  
9 Council of said city, to be exercised by concurrent  
10 vote, each board to have a negative upon the other:  
11 but all other elections of officers by the City Council,  
12 shall be by joint ballot of the two boards in conven-  
13 tion. The City Council shall annually, on the second  
14 Monday of March, or as soon thereafter as conveniently  
15 may be, elect and appoint all the subordinate officers  
16 and agents for the city, for the ensuing year, including  
17 a chief engineer and other engineers for the fire depart-  
18 ment, (which chief engineer, or in his absence, any  
19 two other engineers, shall have all the power and  
20 authority that firewards now have:) shall define their  
21 duties and fix their compensation, in cases where such  
22 duties and compensation shall not be defined and fixed  
23 by the laws of this State; and may by concurrent vote  
24 remove officers, when in their opinion sufficient cause  
25 for removal exists. All officers shall be chosen and  
26 vacancies supplied for the current year, except as here-  
27 inafter otherwise directed. All the said subordinate  
28 officers and agents shall hold their offices during the  
29 ensuing year, and until others shall be elected and  
30 qualified in their stead, unless sooner removed by the

31 City Council. All moneys received and collected for  
32 and on account of the city, by any officer or agent  
33 thereof, shall forthwith be paid into the city treasury.  
34 The City Council shall take care that moneys shall not  
35 be paid from the treasury unless granted or appro-  
36 priated ; shall secure a prompt and just accountability,  
37 by requiring bonds with sufficient penalty and sureties  
38 from all persons trusted with the receipt, custody, or  
39 disbursement of money ; shall have the care and  
40 superintendence of city buildings and the custody and  
41 management of all city property, with power to let or  
42 sell what may be legally let or sold ; and to purchase  
43 and take in the name of the city such real or personal  
44 property, not exceeding the sum of (fifteen) thousand  
45 dollars, including the property now owned by the  
46 town, as they may think useful to public interest.  
47 And the City Council shall, as often as once a year,  
48 cause to be published for the information of the inhab-  
49 itants, a particular account of receipts and expendi-  
50 tures, and a schedule of the city property ; and no  
51 money shall be paid from the treasury unless the same  
52 be appropriated by the City Council, and upon a war-  
53 rant signed by the Mayor, which warrant shall



54 state the appropriation under which the same was  
55 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 of the  
4 city; and if he approve the same he shall sign it;  
5 if not, he shall return it in seven days, with his objec-  
6 tions, to that branch of the City Council in which  
7 it shall have originated, which branch shall enter the  
8 objections at large on its journals and proceed to  
9 reconsider said law, act, ordinance or bill. If upon  
10 such reconsideration a majority of the whole number of  
11 that branch shall agree to pass it, it shall be sent, togeth-  
12 er with the objections, to the other branch, by which  
13 it shall be reconsidered, and if approved by a majority  
14 of the whole number of that branch, it shall have the  
15 same 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 several towns in this State may  
5 exercise and be subject to, under existing laws: pro-  
6 vided, however, that the City Council may appoint

7 one person in each ward, whose duty it shall be to  
8 furnish the assessors with all necessary information  
9 relative to persons and property, taxable in his ward,  
10 and who shall be sworn to the faithful performance  
11 of his duty. All taxes shall be assessed, apportioned  
12 and collected in the manner prescribed by the laws of  
13 this State relative to town taxes; provided however,  
14 that it shall and may be lawful for the City Council  
15 to establish further and additional provisions for the  
16 collection thereof.

SECT. 7. The City Council shall have exclusive  
2 authority and power to lay out any new street or  
3 public way, or widen or otherwise alter or discontinue  
4 any street or public way in said city, and to estimate  
5 the damages any person may sustain thereby, and shall  
6 in all other respects be governed by and subject to the  
7 same rules and restrictions as are by law provided in  
8 this State for regulating and 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 so far as relates to damages, have them  
12 assessed by a committee or jury, as now by law pro-  
13 vided; and the County Commissioners for York

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 shall  
17 pass thence into or through said city, according to the  
18 provisions of law ; and any highway or townway, or  
19 bridge, which has been, or may hereafter be located with-  
20 in said town or city, between high and low water mark,  
21 shall nevertheless be deemed to be legally located and  
22 established.

SECT. 8. It shall be lawful for the City Council,  
2 by a committee by them appointed, or by instructions  
3 to the Commissioner of Streets, to appropriate, set  
4 off and reserve as sidewalks, 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 foot  
8 passengers. It shall be lawful for the City Council  
9 to permit or direct posts of wood or stone, or trees, to  
10 be placed along the edge of said sidewalk next to the  
11 traveled part of the street, in such number and man-  
12 ner as they may deem necessary to protect said side-  
13 walks, and the persons travelling thereon from dam-

14 age or inconvenience from teams or carriages. So  
15 much of the several streets in said city as shall be  
16 appropriated and reserved as sidewalks, 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; and  
20 said city shall not be liable for damages for any injury  
21 done or occasioned in consequence of any cart, carriage,  
22 wagon, truck or other vehicle or any team or animal  
23 striking against any of said sidewalks, or the posts or  
24 trees set or placed to defend the same. The several  
25 sidewalks on the streets in said city as at present estab-  
26 lished and used, shall be taken and deemed to be the  
27 proper and lawful reservation for that purpose, until  
28 altered or otherwise established by the proper  
29 authority.

SECT. 9. The City Council shall have power on such  
2 terms and conditions as they may think proper, to  
3 authorize and empower any person or corporation to  
4 place in any street, for such time as may be necessary,  
5 any materials for making or repairing any street, side-  
6 walk, cross-walk, bridge, water course or drain, or for

7 erecting, repairing or finishing any building or fences,  
8 *Provided*, That not more than one-third of the width  
9 of the street shall be so occupied ; and such material  
10 so placed by virtue of any license obtained as aforesaid,  
11 shall not be considered an incumbrance or nuisance  
12 in such street ; and the city, or person, or corporation  
13 so placing the same, shall not be liable for any dam-  
14 ages occasioned by such materials.

SECT. 10. The City Council shall have authority  
2 to establish and make regulatoins 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, any thing in the  
6 public laws of the State to the contrary notwithstand-  
7 ing; and shall also have authority to make all needful  
8 regulations in relation to the harbor; may appoint a  
9 harbor master, prescribe his duties, and fix his com-  
10 pensation.

SECT. 11. All the laws and regulations now in force  
2 in said town of Biddeford, shall, notwithstanding this  
3 act, be and remain in force until they expire by their  
4 own limitations, or be revised or repealed by the City  
5 Council ; and prosecutions and suits may be com-

6 menced and proceeded thereon in the name of the  
7 city, by officers or other persons thereby empowered  
8 or directed to prosecute and sue; and the fines and  
9 penalties shall go to the uses in such laws or regu-  
10 lations named according to law.

SECT. 12. A Police Court shall be and hereby is  
2 established, in and for the city, to be denominated  
3 the Police Court of the City of Biddeford, to consist  
4 of one Judge, who shall be appointed and commis-  
5 sioned in the manner provided by the Constitution,  
6 who shall have concurrent jurisdiction with Justices  
7 of the Peace, in all matters, civil and criminal, under  
8 twenty dollars, within the County of York, and  
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 Biddeford, excepting all actions in which said  
14 Judge may be interested; and said Court shall also  
15 have concurrent jurisdiction with Justices of the Peace  
16 and Quorum in all cases of forcible entry and detainer,  
17 arising in said County, and original and exclusive  
18 jurisdiction in all such cases arising in the city, and

19 shall also have original and exclusive jurisdiction of  
20 all violations of the by-laws of said city. And any  
21 person aggrieved by any judgment awarded by said  
22 Court may appeal therefrom, in like manner as if the  
23 same had been awarded by any Justice of the Peace,  
24 or Justices of the Peace and Quorum.

SECT. 13. It shall be the duty of said Court to  
2 make and keep its own records, which records shall be  
3 such as would be legal records in a Court of a Justice  
4 of the Peace. And copies of the records of said  
5 Court, duly certified, shall be evidence in the other  
6 Courts of the State. Said Court shall be holden on  
7 the first and third Monday of each month, at nine of  
8 the clock in the forenoon, at such place as the city  
9 shall provide for the purpose, for the transaction of  
10 civil business; and all civil process shall be made  
11 returnable accordingly, and the fees in all cases, civil  
12 and criminal, shall be the same as are now taxable by  
13 Justices of the Peace: *Provided*, That the price of  
14 blank writs signed by said Judge, shall be two cents and  
15 no more, and all fines, penalties and costs, which may  
16 be awarded by said Court, in the administration of its  
17 criminal jurisdiction, shall be accounted for and paid

18 over by said Judge, in the same manner as if the same  
19 had been awarded by the sentence of a Justice of the  
20 Peace; and said Judge shall once in three months  
21 render an account to the Treasurer of said city, of all  
22 sums of money by him received as fees of office, or for  
23 copies of papers, and shall be held to pay such sums  
24 into said treasury.

SECT. 14. In case of death, or sickness, or other  
2 disability of the said Judge, to attend at the time and  
3 place as provided in the preceding section for the trans-  
4 action of civil business, the said Court shall stand  
5 adjourned until the next term of said Court, and so  
6 from term to term, without costs to either party, until  
7 the Judge is able to attend. And in case of disability  
8 as aforesaid, to perform the other duties of his office,  
9 the criminal jurisdiction of said Court shall devolve  
10 upon the Justices of the Peace for the County of York,  
11 during the continuance of said disability, and until  
12 such proceedings are instituted during the continuance  
13 of said disability shall have received the final adjudi-  
14 cation of said Justices.

SECT. 15. The city of Biddeford shall have the  
2 power, and it shall be its duty, to raise money to pro-



3 vide a suitable room in which to hold said court, and  
4 to furnish the same in an appropriate manner. The  
5 Judge of said Police Court shall receive from the said  
6 city of Biddeford in quarter yearly payments, an  
7 annual salary of such amount as the City Council of  
8 said city shall vote and determine, which shall be in  
9 full of all fees and emoluments pertaining to said  
10 office, and received by Justices of the Peace for all  
11 similar services. And the said Judge shall not act  
12 as counsel or attorney, in any case within the juris-  
13 diction of said Court, nor in any suit, matter or thing  
14 which may depend on, or have relation to any case,  
15 matter or thing depending or cognizable in said Court.

SECT. 16. All actions, suits, matters and things  
2 which may be pending before Justices of the Peace  
3 in the town of Biddeford, and all writs, executions,  
4 warrants, recognizances and processes, returnable to  
5 said Justices when this act takes effect, shall be re-  
6 turnable to them in like manner as if it had not taken  
7 effect; and said Justices shall have full power and  
8 authority to grant execution and to carry into effect  
9 any judgment rendered by them, and to complete all

10 processes commenced by or before them in the same  
11 manner as they might have done, had not this act  
12 been passed.

SEC. 17. For the purpose of holding elections, said  
2 city shall be divided into [five] wards, to contain as  
3 near as conveniently may be, an equal number of  
4 legal voters; and it shall be the duty of the City  
5 Council once in ten years, and not oftener than five  
6 years, to review, and if it be needful, to alter said  
7 wards, in such a manner as to preserve as nearly as  
8 may be, an equal number of legal voters in each. In  
9 each of said wards, there shall annually, on the second  
10 Monday of March, be chosen by ballot, a Warden and  
11 Clerk, who shall hold their offices for one year and  
12 until others shall have been chosen and qualified in  
13 their places. Said Warden and Clerk shall be sworn  
14 to the faithful performance of their respective duties,  
15 by any Justice of the Peace of said city, or by the  
16 person presiding in said ward meeting, or by the Clerk  
17 of said wards, and a certificate of such oaths having  
18 been administered, shall be entered by the Clerk on  
19 the records of the ward. The Warden shall preside

20 at all ward meetings, with the power of moderators  
21 of town meetings ; and if at any meeting the Warden  
22 should not be present, the Clerk of such ward shall  
23 call the meeting to order and preside until a Warden  
24 pro tem. shall be chosen. If neither of them should  
25 be present, any legal voter in the ward may preside  
26 until a Clerk pro tem. shall be chosen and qualified.  
27 The Clerk shall record all the proceedings and certify the  
28 votes given, and deliver over to his successor in office,  
29 all such records and journals, together with all other  
30 documents and papers held by him in said capacity. The  
31 inhabitants of each ward may choose two persons to as-  
32 sist the Warden in receiving, sorting and counting the  
33 votes. The list of the names of the legal voters in  
34 each ward shall be prepared by the Assessors and  
35 Board of Aldermen, assisted by the Wardens, in the  
36 same manner and under the same restrictions as are  
37 imposed by the laws of this State on the assessors and  
38 selectmen of towns ; and all regular ward meetings  
39 shall be notified and called by the Mayor and Alder-  
40 men in the manner prescribed by the laws of this  
41 State for notifying and calling town meetings by the  
42 selectmen of the several towns, excepting that ward

43 meetings for the election of Mayor after the second  
44 trial, may be called within the time provided in such  
45 cases in this act.

SECT. 18. 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 two  
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 offices one year from  
8 the third Monday in March, and until others shall be  
9 elected in their places.

SECT. 19. At the annual election holden for choice  
2 of Mayor and Aldermen, the qualified electors in each  
3 ward shall by ballot elect a Constable, who shall be  
4 denominated City Constable, with all the powers, du-  
5 ties and liabilities appertaining to the office of consta-  
6 ble.

SECT. 20. On the second Monday of March, annu-  
2 ally, immediately after a Warden and Clerk shall have  
3 been elected and sworn, the qualified electors of each  
4 ward shall ballot for a Mayor, one Alderman and  
5 two Common Councilmen; all the votes given for the

6 said several officers respectively, shall be sorted, count-  
7 ed, declared and registered in open ward meeting, by  
8 causing the names of the persons voted for, and the  
9 number of votes given to each, to be written on the  
10 ward record at length. The Ward Clerk within  
11 twenty-four hours after such election, shall deliver to  
12 the persons elected Aldermen 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 conve-  
17 niently be effected on that day, the meeting may be  
18 adjourned from day to day to complete such election.  
19 If on the second balloting for any Alderman, Common  
20 Councilman, Constable, Warden or Clerk, a choice  
21 shall not be effected by a majority vote, then the per-  
22 sons receiving the highest number of votes for any of  
23 those offices at the 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 until a choice is thus effected. The Board of Alder-  
27 men shall as soon as conveniently may be, examine  
28 the copies of the records of the several wards, certified

29 as aforesaid, and shall cause the person who shall have  
30 been elected Mayor, by a majority of votes given in all  
31 the wards, to be notified in writing, of his election;  
32 but if it shall appear that no person shall have been  
33 elected, or if the person elected shall refuse to accept  
34 the office, the said Board shall issue their warrants  
35 for another election ; and in case the citizens should  
36 fail on a second ballot to elect a Mayor, the said Board  
37 shall again issue their warrants for a third election, to  
38 be held not less than three nor more than four days  
39 thereafter ; at which election the candidate having the  
40 greatest number of votes shall be declared elected and  
41 notified as aforesaid ; if no one shall then have such  
42 number, further elections shall in the same manner be  
43 ordered, till a choice shall be made, by some one hav-  
44 ing the highest number of votes ; and in case of a va-  
45 cancy in the office of Mayor, by death, resignation or  
46 otherwise, it shall be filled for the remainder of the  
47 term by a new election, in the manner hereinbefore  
48 provided for the choice of said officer ; and in the  
49 meantime the President pro. tempore of the Board of  
50 Aldermen shall perform the duties of Mayor. The  
51 oath prescribed by this act shall be administered to

52 the Mayor by the City Clerk, or any Justice of the  
53 Peace in said city. The Aldermen and Common  
54 Councilmen elect, shall on the third Monday of  
55 March, at ten of the clock in the forenoon, meet in  
56 convention, when the oath required by the second  
57 section of this act, shall be administered to the mem-  
58 bers of the two Boards present, by the Mayor or any  
59 Justice of the Peace, and thereupon the two Boards  
60 shall separate, and the Board of Common Council  
61 shall be organized by the election of a President and  
62 Clerk.

SECT. 21. The City Clerk shall be the Clerk of the  
2 Board of Aldermen; he shall perform such duties as  
3 shall be prescribed by the Board of Aldermen or  
4 Common Council; and shall perform all duties, and  
5 exercise all the powers by law incumbent upon, or  
6 vested in the town clerk of the town of Biddeford;  
7 he shall give notice in one or two of the papers  
8 printed in said city of the time and place of regular  
9 ward meetings; but the place of regular ward meet-  
10 ings, and also the day and hour, when not fixed by  
11 law, shall be determined by the Board of Aldermen.  
12 The Board of Aldermen may, in the absence of the

13 Mayor, choose a President pro tempore, who shall  
14 preside at joint meetings of the two Boards. Each  
15 Board shall keep a record of its proceedings, and  
16 judge of the election of its own members; and in case  
17 of failure of election, or vacancy by death, resignation  
18 or otherwise, may order new elections. A quorum for  
19 the transaction of business, shall in each Board consist  
20 of a majority of the members thereof; all meetings of  
21 the Aldermen and Common Council, and all meetings  
22 of the two Boards in convention, shall be open and  
23 public, and the presiding officer of each of them shall  
24 have the power of moderators of town meetings. At  
25 either of said meetings, when any two members shall  
26 request it, the vote shall be taken by yeas and nays,  
27 which shall be recorded by the Clerk.

SECT. 22. 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 their  
4 representatives, and to take all lawful measures to  
5 obtain redress of any grievances according to the right  
6 secured to the people by the Constitution of this State;  
7 and such meetings may, and shall be duly warned by



8 the Mayor and Aldermen, upon the requisition of  
9 thirty qualified voters of said city.

SECT. 23. It shall be the duty of the selectmen of  
2 the town of Biddeford, as soon as may be, after this  
3 act shall have been accepted, as hereinafter provided,  
4 to cause a division of said town to be made into [five]  
5 wards, in such manner as to include, as nearly as con-  
6 veniently may be, consistently with well defined limits  
7 to each ward, an equal number of voters in each  
8 ward.

SECT. 24. 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 seasonably,  
5 before the second Monday of March, next after the  
6 acceptance of this charter, issue their warrants for  
7 calling meetings of the said citizens at such place and  
8 hour upon 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 their votes for a Mayor to be  
11 taken from the city at large, and one Alderman and  
12 two Common Councilmen, and one Constable, for  
13 each 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, cer-  
16 tified by the Warden and Clerk of such ward, shall  
17 at said first election, be returned to the said selectmen  
18 of the said town of Biddeford, whose duty it shall be  
19 to examine and compare the same ; and in case said  
20 elections shall not be completed at the first election,  
21 then to issue a new warrant until such election shall  
22 be completed according to the provisions of this act ;  
23 and to give notice thereof in the manner hereinbefore  
24 directed, to the several persons elected. And at said  
25 first meeting, any inhabitant of said ward, being a legal  
26 voter, may call the citizens to order and preside until  
27 a Warden shall have been chosen ; and at said first  
28 meeting a list of voters in each ward, prepared and  
29 corrected by the selectmen of the town of Biddeford,  
30 for the time being, shall be delivered to the Clerk of  
31 each ward when elected, to be used as provided by  
32 the law in town meetings ; and it shall be the duty of  
33 the City Council in convention, immediately after  
34 their first organization, to elect by ballot, a City Clerk  
35 and all other necessary city officers, who shall hold

36 their offices respectively until others are chosen and  
37 qualified in their places.

SECT. 25. This act shall take effect and be in full  
2 force when the same shall have been accepted by the  
3 inhabitants of said town qualified to vote in town  
4 affairs, at a legal town meeting called for that pur-  
5 pose ; *Provided*, it shall be accepted within five years  
6 from the passage of this act, but not more than one  
7 meeting, for that purpose, shall be called in the same  
8 year ; and at such meeting the inhabitants of said  
9 town shall vote by a written ballot ; those in favor of  
10 accepting this act having on the ballot the word "yes,"  
11 and those opposed having on the ballot the word "no;"  
12 and if a majority of all the ballots received are in favor  
13 of accepting the same, it shall then become a law and  
14 take effect. And it shall be the duty of the Clerk of  
15 said town to file a copy of the record of the vote of  
16 said town, accepting the same, with the Clerk of the  
17 city of Biddeford, when elected, who shall transcribe  
18 such copy into the records of the city, and such re-  
19 cord shall be conclusive evidence that this act has  
20 been accepted.

SECT. 26. All acts and parts of acts inconsistent with

2 the provisions of this act, are hereby repealed, from  
3 and after the time when this act shall have been ac-  
4 cepted as aforesaid, and the new system of govern-  
5 ment organized, as herein provided.

STATE OF MAINE.

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IN SENATE, }  
January 18, 1855. }

ORDERED, That the Secretary of the Senate be directed to procure the printing of 350 copies of the foregoing bill for the use of the Legislature.

LOUIS O. COWAN, *Secretary.*