

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1863.

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1863.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1863.

Chapter 275.

CHAP. 275.

An act to confer certain powers on the city of Portland.

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

SECT. 1. The inhabitants of Portland shall continue to be a body politic and corporate by the name of the "city of Portland," and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties and obligations now appertaining to or incumbent upon said city, or the inhabitants or municipal authorities thereof; and may ordain reasonable by-laws and regulations for municipal purposes, and impose penalties for the breach thereof, not exceeding one hundred dollars, to be recovered for such uses as the municipal authorities may appoint.

Corporate name.

Rights, powers, &c.

May ordain by-laws, &c.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate to be styled the mayor, and one council of seven to be denominated the board of aldermen, and one council of twenty-one to be denominated the board of common council, all of whom shall be inhabitants of said city; which boards shall constitute and be called the city council; and shall be sworn or affirmed in the form prescribed by the constitution of the state for state officers.

Fiscal, prudential and municipal affairs, how vested.

SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws of the state, and ordinances and regulations of the city, to be executed and enforced; to exercise a general supervision over the conduct of all subordinate officers, and to cause violations or neglect of duty on their part to be punished. He shall from time to time communicate to the city council, or either board, such information, and recommend such measures as the interests of the city may require. He shall preside at all meetings of the mayor and aldermen, and in joint meetings of the two boards, but shall have only a casting vote. He shall be compensated for his services by a salary to be fixed by the city council, payable at stated periods, and shall receive therefor no other compensation, which salary, however, shall not be increased or diminished during his year of office.

Mayor, duties of, &c.

Salary of, how fixed.

SECT. 4. Every law, act, ordinance, resolve or order, requiring the consent of both branches of the city council, excepting rules and orders of a parliamentary character, shall be presented to the mayor for approval. If not approved by him he shall return it, with his objections, at the next stated session of the city council, to that branch in which it originated, which shall enter the objections at large on its journal and proceed to reconsider the same.

Laws, acts, &c., passed, to be presented to the mayor for approval.

Proceedings in case of disapproval.

CHAP. 275. If upon such reconsideration it shall be passed by a vote of two-thirds of all the members of that branch, it shall be sent, together with the objections, to the other branch, by which it shall be reconsidered, and, if passed by two-thirds of that branch, it shall have the same effect as if signed by the mayor. In case of vacancy in the office of mayor, when said law, act, ordinance, resolve or order be finally passed, the same shall be valid without approval.

Executive powers, &c., how vested.

SECT. 5. The executive powers of said city generally and the administration of police and health departments, with all the powers of selectmen, except as modified by this act, shall be vested in the mayor and aldermen. All the powers of establishing watch and ward now vested by the laws of the state in the justices of the peace and municipal officers, or inhabitants of towns, are vested in the mayor and aldermen, so far as relates to said city; and they are authorized to unite the watch and police departments into one department and establish suitable regulations for the government of the same. The officers of police shall be one chief to be styled the city marshal, so many deputies marshals as the city council may by ordinance prescribe, and so many watchmen and policemen as the mayor and aldermen may from time to time appoint. All other powers now or hereafter vested in the inhabitants of said city, and all powers granted by this act, as well as all powers relating to the fire department, shall be vested in the mayor and aldermen and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other. Each board shall keep a record of its proceedings, and judge of the election of its own members; and in case of vacancies, new elections shall be ordered by the mayor and aldermen.

Police officers, appointment of.

Subordinate officers, appointment and compensation of.

SECT. 6. The compensation of all subordinate city officers whatsoever shall be fixed by the city council. All officers of the police and health departments shall be appointed by the mayor and aldermen, and may be removed by them for good cause. All other subordinate officers now elected by the mayor and aldermen or the city council, shall hereafter be elected by joint convention of the city council; and such officers may be removed for good cause, by concurrent vote passed in each branch, by the assent of two-thirds of all the members thereof. Except as otherwise specially provided in this act, all subordinate officers shall be elected annually on the second Monday of March, or as soon thereafter as may be, and their term of office shall be for one year and until others are qualified in their place. All vacancies may be filled by the board having authority to elect.

Mayor to sign all orders for money.

SECT. 7. No money shall be paid out of the city treasury except on orders drawn and signed by the mayor, designating the fund or appropriation from which said orders are to be paid, nor unless the same shall be first granted or appropriated therefor by the city

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council; and the city council shall secure a prompt and just accountability, by requiring bonds with sufficient penalty and surety, or sureties, from all persons entrusted with the receipt, custody or disbursement of money; they shall have the care and superintendence of the city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase and take in the name of the city real and personal property, for municipal purposes to an amount not exceeding two hundred thousand dollars in addition to that now held by the city. And shall, as often as once a year, cause to be published for the information of the inhabitants, a particular account of receipts and expenditures and a schedule of city property.

City council to require bonds.

—to have care of city property, &c.

—shall publish account of receipts, &c.

SECT. 8. The assessors shall continue to be elected on the second Monday in March. At the first election thereof under this act, three persons shall be elected assessors, one of whom shall be elected for one year, one for two years and one for three years, and at each subsequent election one assessor shall be elected for three years, each of whom shall continue in office until some other person shall have been elected and qualified in his place. The city council shall elect an assistant assessor in each ward, whose duty it shall be to furnish the assessors with all the necessary information relative to persons and property taxable in his ward; he shall be sworn or affirmed to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes, except as herein modified; and the city council may establish further or additional provisions, for the collection thereof and of interest thereon. There shall be elected at the first election of subordinate officers, under this act, in March, twelve persons for overseers of the poor and work house, four of whom shall be elected for one year, four for two years, and four for three years; and all subsequent annual elections, shall be for the term of three years.

Assessors, when and how elected.

Assistant assessor, how elected.

Taxes, how assessed and collected.

Overseers of the poor, &c.

SECT. 9. The city council shall have exclusive authority to lay out, widen or otherwise alter, or discontinue, any and all streets or public ways in the city of Portland, without petition therefor, and as far as extreme low-water-mark, and to estimate all damages sustained by the owners of land taken for that purpose; but all locations below high-water-mark shall be subject to the provisions of the laws relating to the commissioners of Portland harbor. A joint standing committee of the two boards shall be appointed, whose duty it shall be to lay out, alter, widen or discontinue any street or way in said city, first giving notice of the time and place of their proceedings to all parties interested, by an advertisement in two daily papers printed in Portland, for one week at least previous to the time appointed. The committee shall first hear all parties interested, and then determine and adjudge whether the

City council authorized to lay out, widen streets, &c.

—committee to be appointed, duty of.

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—to make
return to city
clerk.

Proceedings in
discontinuing
streets, &c.

—persons
aggrieved,
proceedings in
case of.

City not
compelled to
construct or
open streets,
&c.

public convenience requires such street or way to be laid out, altered or discontinued; and shall make a written return of their proceedings, signed by a majority of them, containing the bounds and descriptions of the street or way, if laid out or altered, and the names of the owners of the land taken, when known, and the damages allowed therefor; the return shall be filed in the city clerk's office at least seven days previous to its acceptance by the city council. The street or way shall not be altered or established until the report is accepted by the city council, and the report shall not be altered or amended before its acceptance. A street or way shall not be discontinued by the city council, excepting upon the report of said committee. The committee shall estimate and report the damages sustained by the owners of the lands adjoining that portion of the street or way which is so discontinued, their report shall be filed with the city clerk seven days at least before its acceptance. Any person aggrieved by the decision or judgment of the city council in establishing, altering or discontinuing streets, may, so far as relates to damages, appeal therefrom to the next court, having jurisdiction thereof, in the county of Cumberland, which court shall determine the same by a committee or reference under a rule of court, if the parties agree, or by a verdict of its jury, and shall render judgment and issue execution for the damages recovered, with costs to the party prevailing in the appeal. Such appeal shall be made to the term of the supreme judicial court, which shall first be holden in the county of Cumberland, more than thirty days from and after the day the street is finally established, altered or discontinued, excluding the day of commencement of the session of said court. The appellants shall serve written notice of such appeal upon the mayor or city clerk, fourteen days at least before the session of the court, and shall at the first term, file a complaint setting forth substantially the facts of the case. On the trial, exceptions may be taken to the rulings of the court as in other cases. Co-tenants who are appellants shall join in their appeal or shall not recover their costs. If a street or way is discontinued before the damages are paid or recovered for the land taken, the land owner shall not be entitled to recover such damages, but the committee in their report discontinuing the same shall estimate and include all the damages sustained by the land owner, including those caused by the original location of the streets; and in such cases if an appeal has been regularly taken, the appellant shall recover his costs. The city shall not be compelled to construct or open any street or way thus hereafter established, until in the opinion of the city council the public good requires it to be done; nor shall the city interfere with the possession of the lands so taken by removing therefrom materials or otherwise until they decide to open and construct said street.

The city council may regulate the height and width of side-walks in any public squares, places, streets, lanes or alleys in said city; and may authorize posts and trees to be placed along the edge of said side-walks. Nor shall the city be answerable for damages occasioned by telegraph poles and wires erected in its streets.

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City council may regulate the height, &c., of side-walks.

SECT. 10. The mayor may on such terms and conditions as he may think proper, authorize and empower any person or corporation to place in any street for such time as may be necessary, any materials for making or repairing any street, side-walk, cross-walk, bridge, water-course or drain, or for erecting, repairing or finishing any building or fences, or for laying or repairing gas or water pipes; *provided* that not more than one-half of the width of the street shall be so occupied. And such material so placed, by virtue of any license obtained as aforesaid, shall not be considered an incumbrance or nuisance in such street; and the city shall not be liable to any person for any damages occasioned by such materials.

—may authorize the placing of materials in streets for certain purposes.

SECT. 11. The city shall remain divided into seven wards; and it shall be the duty of the city council once in ten years or oftener to revise, and if it be needful, to alter such wards, in such manner as to preserve as nearly as may be an equal number of voters in each. In each of said wards, at the annual municipal election, there shall be chosen by ballot a warden and clerk, who shall hold their offices for one year from the Monday following their election, and until others shall have been chosen and qualified in their places. Said warden and clerk shall be sworn or affirmed to the faithful performance of their respective duties by any justice of the peace of the city; and a certificate of such oaths or affirmations having been administered shall be entered by the clerk on the records of the ward. The wardens shall preside at all ward meetings with the powers of moderators of town meetings. If at any meeting the warden shall not be present, or shall refuse to preside, the clerk of such ward shall call the meeting to order and preside until a warden *pro tem.* shall be chosen. If both are absent, or shall refuse to act, a warden and clerk *pro tem.* shall be chosen. The clerk shall record all proceedings, and certify the votes given, and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The voters of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. All regular ward meetings shall be notified and called by warrant from the mayor and aldermen in the manner prescribed by the laws of this state for notifying and calling town meetings by the selectmen of the several towns.

City to remain divided into seven wards.

Warden and clerk, election of, &c.

—duties of.

—if absent, proceedings in.

Clerk to keep records.

Ward meetings, how called.

SECT. 12. The mayor shall be elected by the inhabitants of the city voting in their respective wards. One alderman, three common councilmen, a warden and clerk, and two constables, shall be

Mayor, &c., election of.

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elected by each ward, being residents in the ward where elected. All said officers shall be elected by ballot, by a majority of the votes given, and shall hold their offices one year from the second Monday in March, and until others shall be elected and qualified in their places. All city and ward officers shall be held to discharge the duties of the offices to which they have been respectively elected, notwithstanding their removal after their election out of their respective wards into any other wards in the city; but they shall not so be held after they have taken up their permanent residence out of the city.

Annual elections, proceedings in.

SECT. 13. On the first Monday in March annually the qualified electors of each ward shall ballot for mayor, one alderman, three common councilmen, a warden and clerk, and two constables on one ballot. The ward clerk, within twenty-four hours after such election, shall deliver to the persons elected certificates of their election, and shall forthwith deliver to the city clerk a certified copy of the record of such election, a plain and intelligible abstract of which shall be entered by the city clerk on the city records. If the choice of any such officers is not effected on that day, the meeting shall be adjourned to another day, not more than two days thereafter to complete such election, and may so adjourn from time to time until the election is completed. The board of aldermen shall as soon as conveniently may be examine the copies of the records of the several wards certified as aforesaid, and shall cause the person who shall have been elected mayor by a majority of the votes given 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 the office, the said board shall issue their warrants for another election; and in case the citizens shall fail on a second ballot to elect a mayor, the city council in convention shall, from the four highest candidates voted for at the second election and returned, elect a mayor for the ensuing year; and in case of a vacancy in the office of mayor by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election in the manner hereinbefore provided for the choice of said officer. 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 and common councilmen elect shall, on the second Monday in March, at ten o'clock in the forenoon, meet in convention, when the oath or affirmation required by the second section of this act shall be administered to the members of the two boards present, by the mayor or any justice of the peace, after which the board of common council shall be organized by the election of a president and clerk. The city council shall by ordinance determine the times of holding stated or regular meetings of the board, and shall also in

Meeting of aldermen and common councilmen.

Meetings of the board, how called, &c.

like manner determine the manner of calling special meetings, and the persons by whom the same shall be called; but until otherwise provided by ordinance, special meetings shall be called by the mayor, by causing a notification to be left at the usual residence or place of business of each member of the board or boards to be convened.

SECT. 14. After the organization of a city government and the qualification of a mayor, and when a quorum of the board of aldermen shall be present, said board, the mayor presiding, shall proceed to choose a permanent chairman, who in the absence of the mayor shall preside at all meetings of the board, or at conventions of the two boards, and in case of any vacancy in the office of mayor, he shall exercise all the powers and perform all the duties of the office so long as such vacancy shall remain; he shall continue to have a vote in the board, but shall not have the veto power. The board of aldermen in the absence of the mayor and permanent chairman shall choose a president *pro tem.* who shall exercise the powers of the permanent chairman.

Chairman,
election of.

—powers and
duties.

SECT. 15. In addition to the seven wards, the several islands within the city of Portland are so far constituted a separate ward as to entitle the legal voters thereon to choose a warden, ward clerk, and one constable, who shall be residents on said islands. They shall hold their ward meetings on any one of the islands which a majority of the qualified voters residing on said islands may designate, and may on the days of election vote at the place designated for all officers named in the warrant calling the meeting. The warden shall preside at all meetings, receive the votes of all qualified electors present whose names are borne on the lists, shall sort, count and declare the votes in open meeting and in the presence of the clerk, who shall make a list of the persons voted for, with the number of votes for each person, and a fair record thereof, in presence of the warden and in open meeting, and a copy of the list shall be attested by the warden and clerk, sealed up in open meeting, and delivered to the clerk of ward number one within eighteen hours after the close of the polls, to become a part of the record of said ward; and all votes thus thrown shall be deemed as thrown in and belonging to ward number one. All meetings of the voters of said Island ward for choice of municipal officers shall, after the business of the meeting is transacted, stand adjourned for two days to determine whether an election has been effected; and adjournments may be had, not exceeding two days at any one time, until the election has been effected. If the warden or clerk of said Island ward shall be absent at any election, a warden or clerk may be chosen *pro tempore.* Or in case of a failure or omission to elect a warden or clerk, said officers may be chosen at any legal meeting duly called in said ward.

Islands,
proceedings in.

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City council
may offer
rewards for
certain pur-
poses, &c.

SECT. 16. The city council, in behalf of the city, may offer rewards for the prevention of crimes or detection of criminals. They may remove all sunken wrecks in the harbor or its entrances and dispose of the same to defray the expense of removal, and may, at the expense of the city, cause its harbor to be kept open and unobstructed by ice. They may also require all sail-boats, not under register or license, kept for hire in said harbor, to be examined and licensed for that purpose, and to be furnished with air tight compartments; and may establish such regulations respecting such boats as they may deem expedient. They may also make and enforce by penalties, regulations respecting the enclosure of lots, abutting on any street or way in the city, which may for want of such enclosure, be dangerous to the public; and after notice to the owners or lessees of such lots, may, if the same are not enclosed in a reasonable time, cause the same to be enclosed at the expense of the owners or lessees. They may make regulations relative to the assize of bread sold or offered for sale within said city. They may assess money for celebration of the anniversary of our National Independence and other public celebrations.

City clerk,
duties of.

SECT. 17. The city clerk shall be clerk of the board of aldermen. He shall perform such duties as shall be prescribed by the mayor and aldermen or the city council, and shall also perform all the duties and exercise all the powers now incumbent on him by law. He shall give notice in two or more of the papers printed in said city, of the time and place of regular ward meetings; the time of such meetings when not fixed by law, shall be determined by the board of aldermen. In case of the temporary absence of the city clerk, the mayor and aldermen may appoint a city clerk *pro tem*.

General
meetings.

SECT. 18. General meetings of the citizens qualified to vote in city affairs may, from time to time, be held to consult upon the public good; to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people by the constitution of this state; and such meetings shall be duly warned by the mayor and aldermen upon requisition of sixty qualified voters. The city clerk shall act as clerk of such meetings and record the proceedings upon the city records.

Aldermen, &c.,
not to receive
salary.

SECT. 19. The aldermen and common councilmen shall not be entitled to receive any salary or other compensation during the year for which they are elected, nor be eligible to any office of profit or emolument, the salary of which is payable by the city; and all departments, boards, officers and committees acting under the authority of the city and entrusted with the expenditure of public money shall expend the same for no other purpose than that for which it is appropriated, and shall be accountable therefor to the city in such manner as the city council may direct.

Money, how
expended.

SECT. 20. The treasurer of the city of Portland shall also be the collector for said city, with all the powers of collectors of taxes under the laws of this state. He shall be styled treasurer and collector, and shall give but one bond, said bond to be approved by the mayor and aldermen, for the faithful performance of his duties; and may appoint assistants and deputies as provided by law. All warrants directed to him by the assessors and municipal officers shall run to him and his successors in office; and shall be in the form prescribed by law, changing such parts only as by this act are required to be changed. The method of keeping, vouching and settling his accounts shall be subject to such rules and regulations as the city council may establish. Said treasurer and collector shall collect all such uncollected taxes and assessments in whatever year assessed as may be collected during his term of office; and at the expiration of said term his powers as collector shall wholly cease; all sales, distresses and all other acts and proceedings lawfully commenced by him as such treasurer and collector may be as effectually continued and completed by his successor in office as though done by himself; and all unreturned warrants which would otherwise be returnable to him shall be returned to his successor in office. These provisions shall apply in all respects to the uncollected taxes of said city assessed in the year eighteen hundred sixty-three, but shall not in any way be construed to affect the collection of taxes assessed in other previous years.

Treasurer and collector, duties of.

SECT. 21. The original location of all streets and ways in said city shall, once in ten years or oftener, be ascertained by the city engineer, under the direction of the city council, as accurately as practicable, the location of different streets being ascertained by him from time to time when expedient. He shall make a written report of his doings to the committee on new streets, which shall give twenty days notice, by advertisement in two or more public papers in the city, of the time and place at which it will act upon said report. Any person may appear and object to the report; and after a full hearing of all parties interested the committee may accept, alter or amend the report as it shall think right, and shall report their proceedings to the city council, who shall thereupon determine the lines of such streets and ways in said city, according to the original location thereof, and shall order the same to be designated anew by fixed and permanent boundaries, as and for the original boundaries; and a record of the location thereof to be made upon the city records; and a copy of the last record of such proceedings respecting any street, with evidence of the location of the boundaries therein designated, shall in all judicial proceedings be *prima facie* evidence of the place of the original location of said street.

City engineer to ascertain location of streets.

—shall make written report.

—record of location to be made on city records.

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Mayor, &c., may forbid the passing of teams, &c., in streets at certain times, &c.

SECT. 22. The mayor and aldermen of said city may on public occasions, by their order, forbid the passing, temporarily, of horses, carriages or other vehicles, over or through such streets or ways in said city as they may deem expedient. No existing wharf in Portland shall be extended into the harbor a greater distance below low-water-mark than the same now exists, and hereafter no such new wharf shall be extended below low-water-mark into the harbor, without, in either case, the written assent of the mayor and aldermen. No wharf or incumbrance shall hereafter be erected or extended into said harbor beyond the harbor commissioners' line.

Sidewalks, &c., duty of owners of lots.

SECT. 23. The city council of Portland may require the owner of any lot of ground fronting on any street or way in said city, to cause the foot-way or side-walk in front of said lot to be paved with bricks or flat stones, with suitable curb-stones, the same to be done under the direction of and to the approbation of the committee on streets. If the owner of such lot shall neglect to pave the same as aforesaid, and provide such curb-stones, for the space of twenty days after he, or the tenant of such lot, shall have been thereto required in writing by the commissioner of streets, it shall then be the duty of said commissioner to procure the curb-stones and pave the side-walk or foot-way; and the city shall have a lien on the property for expenses thereof, to be enforced as in the following section. The city council before requiring any such side-walk or foot-way to be so paved, shall by a general ordinance assume a portion of said expense to an amount not less than one half thereof, to be paid by the city in money or materials, but no owner or proprietor shall be required to construct as aforesaid, more than two hundred feet in length of side-walk or foot-way in any one street in front of any unimproved lots or parcels of land.

—if owner neglect, proceedings in.

City to assume part of expense.

Drains or sewers, how and by whom constructed.

SECT. 24. The mayor and aldermen of said city may lay out, make, maintain and repair, all main drains or common sewers in said city, and may assess upon the owners of the abutting lots and other lots benefitted thereby, and who shall enter the same directly or indirectly, a proportional part of the charge of making such main drain or common sewer, to be ascertained and assessed by the mayor and aldermen of said city, and by them certified, after notice thereof given in writing to the party to be charged, or by public advertisement for seven days, in two daily papers in said city; but not less than one third part of the cost of such main drain or common sewer, shall be paid by the city, and shall not be charged to the abutters. All assessments so made shall constitute a lien on the real estate so assessed, for two years after they are laid. They shall be certified by the mayor and aldermen, under their hands, to the treasurer and collector of said city and his successors, with directions to collect the same according to law, and may, together with all incidental costs and expenses, be levied by

Lien for assessments, &c.

sale of the estate by him or them, if the assessment is not paid within three months after a written demand of payment made by him or them, either upon the persons assessed or upon any person occupying the estate; such sale to be conducted in like manner as sale for non-payment of taxes on land of resident owners, and with a similar right of redemption. Any person who may deem himself aggrieved by any such assessment, may appeal to the supreme court, in the same manner as is herein provided for appeals for damages for laying out streets, which court shall, at the first term, appoint three persons who may be inhabitants of said city, to settle and assess the share to be charged to such appellant; they shall make a return of their doings to said court, and their decision, if accepted, shall be final. And in case the assessment made by the mayor and aldermen shall not be reduced on such appeal, the city shall recover costs, but otherwise shall pay costs. Any person who shall, directly or indirectly, enter any such main drain or common sewer, without first obtaining a permit from the mayor therefor, shall be subject to a fine not exceeding one hundred dollars.

Persons
aggrieved,
may appeal to
S. J. C.

Costs, by whom
to be paid.

SECT. 25. All acts and parts of acts inconsistent with this act are hereby repealed. *Provided however*, the repeal of the said acts shall not effect any act done, or any act accruing or accrued or established, or any suit or proceeding had or commenced in any civil or criminal case, before the time when such repeal shall take effect; and that no offence committed, and no penalty or forfeiture incurred under the acts hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal. *And provided also*, that all persons who at the time the said repeal shall take effect shall hold any office under the said acts or ordinances of the city, shall continue to hold the same according to the tenure thereof, or until others are elected and qualified in their stead. *And provided also*, that all the ordinances, rules and regulations of the city of Portland which shall be in force at the time when the said repeal shall take effect, shall continue in force until the same are repealed. No act which has been heretofore repealed shall be revived by the repeal of the above acts.

Inconsistent
acts repealed.
Proviso.

Further
proviso.

Same.

SECT. 26. This act shall be void unless the inhabitants of the city of Portland, at legal ward meetings called for that purpose, by a written vote determine to adopt the same; and the qualified voters of the city shall be called upon to give in their votes upon the acceptance of this act, at meetings in the several wards, duly warned by the mayor and aldermen, to be held on the day of the next municipal election; and thereupon the same proceedings shall be had respecting the sorting, counting, declaring and recording the returns of said votes, as is herein provided at the election of mayor; and the board of mayor and aldermen shall within three days meet together and compare the returns of the ward officers;

Acceptance of
act.

CHAP. 276. and if it appear that a majority of all the votes given on the question of its acceptance are in favor thereof, the mayor shall forthwith make proclamation of the fact, and thereupon this act shall take effect. And in case this act is so adopted and takes effect, the terms of office of all city officers which would otherwise expire in April, in the year of our Lord, eighteen hundred sixty-four, shall expire on the second Monday of March, in the year of our Lord, eighteen hundred sixty-four, or as soon thereafter as other persons are qualified in their places. Subordinate officers shall be elected in April, eighteen hundred and sixty-three, at the time now fixed by law.

Approved March 24, 1863.

Chapter 276.

An act for the assessment of a state tax for the year one thousand eight hundred and sixty-three, amounting to four hundred ninety-five thousand three hundred sixty-six dollars ninety-nine cents.

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

State tax,
\$495,366.99.

SECT. 1. That each city, town, plantation or other place hereinafter named, within this State, shall be assessed and pay the several sums with which they respectively stand charged.

COUNTY OF ANDROSCOGGIN.

Auburn,	Two thousand seven hundred seventy eight dollars twenty two cents,	2,778 22
Danville,	Nine hundred six dollars thirty six cents,	906 36
Durham,	One thousand three hundred eighty two dollars twenty five cents,	1,382 25
East Livermore,	Nine hundred seven dollars sixty nine cents,	907 69
Greene,	One thousand eighteen dollars twenty four cents,	1,018 24
Lewiston,	Seven thousand two hundred ninety one dollars twenty nine cents,	7,291 29
Lisbon,	One thousand two hundred fifteen dollars sixty cents,	1,215 60
Lecds,	One thousand two dollars forty cents,	1,002 40
Livermore,	One thousand two hundred ninety five dollars eighty nine cents,	1,295 89
Minot,	One thousand six hundred forty three dollars seventy seven cents,	1,643 77
Poland,	One thousand five hundred fifty eight dollars eighty five cents,	1,558 85
Turner,	Two thousand two hundred fifty one dollars seventy three cents,	2,251 73
Wales,	Five hundred sixty seven dollars forty eight cents,	567 48
Webster,	Nine hundred thirty eight dollars forty two cents,	938 42
	Twenty four thousand seven hundred fifty eight dollars nineteen cents,	24,758 19