

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1861.



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1861.

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# FORTIETH LEGISLATURE.

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SENATE.

No. 23.

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## STATE OF MAINE.

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

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AN ACT to incorporate the city of Lewiston.

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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 Lewiston,  
2 in the county of Androscoggin, shall continue to be a  
3 body politic and corporate by the name of the city of  
4 Lewiston ; and as such, shall have, exercise and en-  
5 joy, all the rights, immunities, powers, privileges and  
6 franchises, and be subject to all the duties and obliga-  
7 tions now appertaining to, or incumbent upon, said  
8 town as a municipal corporation, or appertaining to,  
9 or incumbent upon, the inhabitants or selectmen there-

10 of; and may ordain and publish such acts, laws and  
11 regulations, not inconsistent with the constitution and  
12 laws of this state, as shall be needful to the good order  
13 of said body politic; and impose fines and penalties  
14 for the breach thereof not exceeding twenty dollars for  
15 any one offence, which may be recovered to the use of  
16 said city, by action of debt, or on complaint before the  
17 municipal court in said city.

SECT. 2. The administration of all the fiscal, pru-  
2 dential and municipal affairs of said city, with the gov-  
3 ernment thereof, shall be vested in one principal mag-  
4 istrate, to be styled the mayor; and one council of  
5 seven, to be denominated the board of aldermen; and  
6 one council of not less than fifteen, nor more than  
7 twenty-one, to be denominated the common council,  
8 all of whom shall be inhabitants of said city; which  
9 boards shall constitute and be called the city council;  
10 all of whom shall be sworn to the faithful performance  
11 of the duties of their respective offices; *provided*, the  
12 city council shall not vote, assess or appropriate any  
13 money for any object or purpose for which the town of  
14 Lewiston is not authorized to vote, assess and appro-  
15 priate money, except for such purposes as are author-  
16 ized by this act. And *provided* further, that neither  
17 the city council, nor any agent or officer for the city,

18 shall borrow or hire money for, or on account of, the  
19 city or inhabitants thereof, except for the purposes for  
20 which the town of Lewiston is now by law authorized  
21 to raise money; and all notes, bonds, obligations,  
22 scrip or orders, given by the city council or any officer  
23 or agent thereof, for money or property obtained for  
24 any other purpose, shall be void, except those negoti-  
25 able, and in the hands of a *bonafide* holder for value.

SECT. 3. The mayor of said city shall be the chief  
2 executive magistrate thereof. It shall be his duty to  
3 be vigilant and active in causing the laws and regula-  
4 tions of the city to be executed and enforced, to exer-  
5 cise a general supervision over the conduct of all sub-  
6 ordinate officers, and to cause their violations or neglect  
7 of duty to be punished. He may call special meetings  
8 of the board of aldermen and common council, or either  
9 of them, when, in his opinion, the interest of the city  
10 requires 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 given in hand, or left at the usual dwell-  
13 ing-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 boards,  
19 but shall have only a casting vote. The salary and  
20 compensation of the mayor shall be two hundred dol-  
21 lars per year, which shall not be increased or dimin-  
22 ished during his continuance in office, unless by the  
23 vote of the qualified electors in ward meetings called  
24 for that purpose, nor shall he receive from the city any  
25 other compensation for any services by him rendered  
26 in any other capacity or agency ; *provided*, however,  
27 the city council may elect the mayor to any city office,  
28 and allow him a reasonable compensation for services  
29 rendered in such office ; but the aldermen and common  
30 council shall not be entitled to receive any salary or  
31 compensation for any services by them performed as  
32 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 Lewiston, shall  
4 be vested in the mayor and aldermen as fully as if the  
5 same had been herein particularly enumerated ; all  
6 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 said  
9 city, to be exercised by concurrent vote ; each board  
10 to have a negative upon the other, but all elections of

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

36 from all persons trusted with the receipt or custody of  
37 the public money ; shall have the care and superinten-  
38 dence of the city public buildings, and the custody and  
39 management of all the city property, with powers to  
40 let or sell what may be legally let or sold ; and to  
41 purchase, in the name of the city, such real or per-  
42 sonal property, not exceeding the sum of one hundred  
43 thousand dollars, including the property now owned  
44 by the town, as they may deem of public utility. And  
45 the city council shall, as often as once a year, cause  
46 to be published for the information of the inhabitants,  
47 an account of receipts and expenditures, and a sched-  
48 ule of the city property ; and no money shall be paid  
49 from the treasury unless the same be appropriated by  
50 the city council, and upon a warrant signed by the  
51 mayor, which warrant shall state the appropriation  
52 under 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 within seven days, with his objections, to that  
6 branch of the city council in which it shall have orig-  
7 inated, which branch shall enter the objections at  
8 large on its journals, and proceed to reconsider said



9 law, act, ordinance or bill. If, upon such reconstruc-  
10 tion, a majority of the whole number of that branch  
11 shall agree to pass it, it shall be sent, together with  
12 the objections, to the other branch, by which it shall  
13 be reconsidered, and if approved by a majority of the  
14 whole number of that branch, it shall have the same  
15 effect as if signed by the mayor.

SECT. 6. City assessors shall be annually appointed  
2 by the city council, who shall exercise and be subject  
3 to the same powers, duties and liabilities that the  
4 assessors in the several towns in this state may exer-  
5 cise and be subject to under existing laws ; *provided*,  
6 *however*, that the city council may appoint one person  
7 in each ward, whose duty it shall be to furnish asses-  
8 sors with all necessary information relative to persons  
9 and property taxable in his ward, and who shall be  
10 sworn to the faithful performance of his duty. All  
11 taxes shall be assessed, apportioned and collected in  
12 the manner prescribed by the laws of this state rela-  
13 tive to town taxes ; *provided, however*, that it shall be  
14 lawful for the city council to establish further and  
15 additional provisions for the collection thereof.

SECT. 7. The city council shall have exclusive  
2 power and authority to lay out any street or public  
3 way, or widen, or otherwise alter, or discontinue any  
4 street or way, in said city, and to estimate the dam-

5 age any person may sustain thereby, and shall in  
6 all other respects be governed by, and be subject to,  
7 such rules and restrictions as are by law provided in  
8 this state for regulating the laying out of public high-  
9 ways and repairing streets. And any person aggrieved  
10 by the decision or judgment of said city council, may,  
11 as far as relates to damages, have them assessed by a  
12 committee or jury, as is now by law provided; and  
13 any highway or town way, or bridge which has been,  
14 or may hereafter be located within said town or city,  
15 shall, nevertheless, be deemed to be legally located  
16 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 portion of the  
5 several streets in said city, now or hereafter to be  
6 established, as to said council may appear necessary for  
7 the safety, convenience and accommodation of foot  
8 passengers. It shall be lawful for the city council to  
9 permit or direct posts of stone, or wood, or trees to be  
10 placed along the edge of said side-walk next to the  
11 travelled 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 damage

14 or inconvenience from teams or carriages. So much  
15 of the several streets in said city as shall be appropri-  
16 ated and reserved as side-walks, agreeably to the pro-  
17 visions of this act, shall be taken and deemed to be  
18 reserved exclusively for the accommodation, conven-  
19 ience and use of persons travelling on foot; and said  
20 city shall not be liable to damages for any injury done  
21 or occasioned in consequence of any cart, carriages,  
22 wagon, or other vehicle, or any team or animal strik-  
23 ing against any of said side-walks, or the posts or  
24 trees set or placed to defend the same. The several  
25 side-walks on the streets in said city, as at present  
26 established and used, shall be taken and deemed to be  
27 the proper and lawful reservation for that purpose,  
28 until 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  
7 for erecting, repairing or finishing any building or  
8 fences, *provided* that no more than one-third of the

9 width of the street shall be so occupied ; and such  
10 materials so placed by virtue of any license obtained  
11 as aforesaid, shall not be considered an incumbrance  
12 or nuisance in such street, and the city, or person or  
13 corporation so placing the same, shall not be liable for  
14 any damages occasioned by such materials.

SECT. 10. All the laws and regulations now in force  
2 in said town shall, notwithstanding this act, be and  
3 remain in force until they expire by their own limita-  
4 tions, or be revised or repealed by the city council ;  
5 and prosecutions and suits may be commenced and  
6 proceeded thereon in the name of the city, by officers  
7 or other persons thereby empowered or directed to  
8 prosecute and sue ; and the fines and penalties shall  
9 go to the uses in such laws or regulations named, and  
10 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 Lewiston, to consist of one  
4 judge, who shall be appointed and commissioned in the  
5 manner provided by the constitution, who shall have  
6 concurrent jurisdiction with trial justices in all matters  
7 civil and criminal, under twenty dollars, within the  
8 county of Androscoggin, and shall have original and  
9 exclusive jurisdiction in all civil actions, under twenty

10 dollars, in which both parties interested, or in which  
11 the party, plaintiff and the person or persons sum-  
12 moned as trustees, shall be inhabitants of or residents of  
13 said city of Lewiston, excepting all actions in which  
14 said judge may be interested; and said court shall  
15 have concurrent jurisdiction with trial justices in all  
16 cases of forcible entry and detainer, arising in said  
17 county, and original and exclusive jurisdiction in all  
18 such cases arising in the city, and shall also have orig-  
19 inal and exclusive jurisdiction in all cases of violation  
20 of the by-laws of said city. And any person aggrieved  
21 by any judgment awarded by said court, may appeal  
22 therefrom in like manner as if the same had been  
23 awarded by any trial justices, justices of the peace,  
24 or justices of the peace and quorum.

SECT. 12. It shall be the duty of said court to make  
2 and keep its own records, which records shall be such  
3 as would be legal records in a court of a trial justice  
4 (of the peace,) and copies of the records of said court,  
5 duly certified, shall be evidence in the other courts of  
6 this state. Said court shall be holden on Monday of  
7 each week, at nine of the clock in the forenoon, at  
8 such place as the city shall provide for such purpose,  
9 for the transaction of civil business; and all civil  
10 processes shall be made returnable accordingly. And

11 the fees in all cases, civil and criminal, shall be the  
12 same as are now taxable by trial justices, *provided*  
13 that the price of blank writs, signed by said judge,  
14 shall be four cents. And all fines, penalties and costs  
15 which may be awarded by said court in the adminis-  
16 tration of its criminal jurisdiction, shall be accounted  
17 for and paid over by said judge, in the same manner  
18 as if the same had been awarded by the sentence of a  
19 justice of the peace or trial justice ; and said judge  
20 shall, once in three months, render an account to the  
21 treasurer of said city of all sums of money by him  
22 received as fees of office, or for copies of papers, and  
23 shall be held to pay such sums into the city treasury.

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 trial  
10 justices for the county of Androscoggin ; and all pro-  
11 ceedings instituted during such disability shall be  
12 finally determined by the justices instituting the same.

SECT. 14. The city of Lewiston 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 furnish the same in an appropriate manner. The judge 4 of said municipal court shall receive from said city of 5 Lewiston, in quarterly payments, an annual salary of 6 such amount as the city council shall vote and determine, which shall be in full for all fees pertaining to 7 said office. And the said judge shall not act as counsel or attorney in any case within the jurisdiction of 8 said court, nor in any suit, matter or thing which may 9 depend on, or have relation to, any case, matter or 10 thing depending or cognizable in said court.

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

SECT. 16. For the purpose of holding elections, said  
2 city shall, after the first election, be divided into not  
3 less than five, nor more than seven wards, to contain  
4 as near as conveniently may be, an equal number of  
5 inhabitants; and it shall be the duty of the city coun-  
6 cil, once in ten years, and not oftener than five years,  
7 to review, and if it be needful, to alter said wards, in  
8 such manner as to preserve as nearly as may be, an  
9 equal number of inhabitants in each ward. In each  
10 of said wards, there shall annually, on the first Mon-  
11 day of March, be chosen by ballot, a warden and clerk,  
12 who shall hold, until Tuesday next after the first Mon-  
13 day of March of the succeeding year, their offices, and  
14 until others have been chosen and qualified in their  
15 stead. Said warden and clerk shall be sworn to the  
16 faithful performance of their duty, by any justice of  
17 the peace of said city, or by the person presiding in  
18 said meeting, or by the clerk of said ward, and a cer-  
19 tificate of such oath having been administered, shall  
20 be entered by the clerk on the records of said ward.  
21 The wardens shall preside at all ward meetings, with  
22 the powers of moderators of town meetings, and if at  
23 any meeting the warden shall not be present, the clerk  
24 of the ward shall call the meeting to order and preside  
25 till a warden *protem* shall be chosen. If neither the



26 warden nor clerk shall be present, any legal voter in  
27 the ward may preside till a clerk *protem* shall be  
28 chosen and qualified. The clerk shall record all the  
29 proceedings and certify the votes given, and deliver  
30 over to his successor in office all such records and jour-  
31 nals, together with all other documents and papers held  
32 by him in said capacity. The inhabitants of each  
33 ward may choose two persons to assist the warden in  
34 receiving, sorting and counting the votes. The list of  
35 the names of the legal voters in each ward shall be  
36 prepared by the assessors and board of aldermen, as-  
37 sisted by the wardens, in the same manner and under  
38 the same restrictions, as are imposed by the laws of  
39 this state on the assessors and selectmen of towns ; and  
40 all regular ward meetings shall be notified and called  
41 by the mayor and aldermen in the manner provided in  
42 the laws of this state for notifying and calling town  
43 meetings by the selectmen of the several towns, ex-  
44 cepting that ward meetings for the election of mayor  
45 after the second trial, may be called within the time  
46 provided in such cases in this act.

SECT. 17. The mayor shall be elected from the cit-  
2 izens at large, by the inhabitants of the city voting in  
3 their respective wards. One alderman and three com-  
4 mon councilmen shall be elected by each ward, being

5 residents in the wards where elected. All said officers  
6 shall be elected by ballot, by a majority of the votes  
7 given, and shall hold their offices one year from the  
8 third Monday in March, and until others shall be  
9 elected in their places; *provided*, however, that if  
10 the city shall be divided into less than seven wards,  
11 then one or two (as the case may be,) of the alder-  
12 men shall be elected at large by the inhabitants of the  
13 city, the whole number of aldermen in no case to be  
14 more than seven, as provided in section second of this  
15 act.

SECT. 18. The mayor and aldermen shall appoint a  
2 city marshal in the manner provided in section fourth  
3 of this act, who shall have all the powers and exercise all  
4 the duties that now appertain to constables of towns,  
5 and who shall be chief of the city police, and as such  
6 may enforce such ordinances and regulations under the  
7 direction of the mayor, as may be adopted by the city  
8 council for the government of the city of Lewiston.

SECT. 19. On the first Monday of March, annually,  
2 immediately after a warden and clerk shall have been  
3 elected and sworn, the qualified electors of each ward  
4 shall ballot for a mayor, one alderman and three com-  
5 mon councilmen; all the votes given for the said sev-  
6 eral officers, respectively, shall be sorted, counted,

7 declared and registered in open ward meeting, by  
8 causing the names of persons voted for and the number  
9 of votes given for each to be written on the ward rec-  
10 ord at length. The ward clerk, within twenty-four  
11 hours after such election, shall deliver to the persons  
12 elected alderman and common councilmen certificates of  
13 their election and shall forthwith deliver to the city  
14 clerk a certified copy of the record of such election ;  
15 *provided, however,* that if the choice of alderman and  
16 common councilmen cannot conveniently be effected on  
17 that day, the meeting may be adjourned from day to  
18 day to complete such election. If on the second bal-  
19 loting for any alderman, common councilmen, warden  
20 or clerk, a choice shall not be effected by a majority  
21 vote, then the persons receiving the highest number  
22 of votes for any of those offices at the subsequent trial,  
23 shall be declared elected ; if no one shall then have  
24 such highest number, the balloting shall be continued  
25 from day to day until a choice is thus effected. The board  
26 of aldermen, shall as soon as conveniently may be, ex-  
27 amine the copies of the records of the several wards,  
28 certified as aforesaid, and shall cause the person who  
29 shall have been elected mayor, by a majority of votes  
30 given in all the wards, to be notified in writing of his  
31 election ; but if it shall appear that no person shall

32 have been elected, or if the person elected shall refuse  
33 to accept the office, the said board shall issue their  
34 warrants for another election ; and in case the citizens  
35 should fail on a second ballot to elect a mayor, the  
36 said board shall again issue their warrants for a third  
37 election, to be held not less than three nor more than  
38 seven days thereafter ; at which election, the candi-  
39 date having the greatest number of votes shall be de-  
40 clared elected, and notified as aforesaid ; if no one  
41 shall then have such number, further elections shall in  
42 the same manner be ordered, till a choice shall be  
43 made, by some one having the highest number of votes ;  
44 and in case of a vacancy in the office of mayor by  
45 death, resignation or otherwise, it shall be filled for the  
46 remainder of the term by a new election in the man-  
47 ner herein before provided for the choice of said officer ;  
48 and in the meantime the president *pro tempore* of the  
49 board of aldermen shall perform the duties of mayor.  
50 The oath prescribed by this act shall be administered  
51 to the mayor by the city clerk, or any justice of the  
52 peace in said city. The aldermen and common coun-  
53 cilmen elect, shall, on the third Monday of March, at  
54 ten of the clock in the forenoon, meet in convention,  
55 when the oath required by the second section of this  
56 act shall be administered to the members of the two

57 boards present, by the mayor or any justice of the  
58 peace, and thereupon the two boards shall separate,  
59 and the board of common council shall be organized by  
60 the election of a president and clerk.

SECT. 20. 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 com-  
4 mon council, and shall perform all duties, and exercise  
5 all the powers by law incumbent upon, or vested in,  
6 the town clerk of the town of Lewiston ; he shall give  
7 notice in one or more of the papers printed in said city,  
8 of the time and place of regular ward meetings ; but  
9 the place of regular ward meetings, and also the day  
10 and hour, when not fixed by law, shall be determined  
11 by the board of aldermen. The board of aldermen  
12 may, in the absence of the mayor, choose a president  
13 *pro tempore*, who shall preside at joint meetings of the  
14 two boards. Each board shall keep a record of its  
15 proceedings, and judge of the election of its own mem-  
16 bers ; and in case of failure of election, or vacancy by  
17 death, resignation or otherwise, may order new elec-  
18 tions. A quorum for the transaction of business, shall  
19 in each board consist of a majority of the members  
20 thereof ; all meetings of the aldermen and common  
21 council, and all meetings of the two boards in conven-

tion shall be open and public, and the presiding officer of each of them shall have the power of moderators of town meetings. At either of said meetings, when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.

SECT. 21. For the purpose of organizing the system of government hereby established, and putting the same in operation in the first instance, the selectmen of the town for the time being shall seasonably, before the first Monday of March next after the acceptance of this charter, issue their warrant for calling a meeting of the citizens at such place and hour upon said day as they shall think expedient, for the purpose of choosing a mayor, seven aldermen, and fifteen councilmen, to be taken from the city at large; and in case said elections shall not be completed at the first election, then to issue a new warrant until such election shall be completed; and the town clerk for the time being shall give notice thereof to the several persons elected; and it shall be the duty of the city council, in convention, immediately after their first organization, to elect by ballot a city clerk and all other necessary city officers, who shall hold their offices respectively until others are chosen and qualified in their places. And it shall be the duty of the mayor and aldermen first elected at large, as soon as may be

22 after their organization, to cause a division of said  
23 city to be made into not less than five, nor more than  
24 seven wards, in such manner as to include as nearly  
25 as conveniently may be, consistently with well de-  
26 fined limits to each ward, an equal number of inhab-  
27 itants in each ward. And at the first meeting after  
28 such division into wards, any inhabitant of said wards,  
29 being a legal voter, may call the citizens to order and  
30 preside until a warden shall have been chosen ; and at  
31 said first meeting a list of voters in each ward, pre-  
32 pared and corrected by the board of aldermen, shall  
33 be delivered to the clerk of each ward when elected,  
34 to be used as provided by the laws in town meetings.

SECT. 22. 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 teams or railroad, and may affix suitable  
5 penalties for the violations thereof, anything in the  
6 public laws of the state to the contrary notwithstand-  
7 ing.

SECT. 23. The city council are hereby authorized  
2 and empowered to pass any ordinance or ordinances  
3 regulating or forbidding the erection of wooden build-  
4 ings on any street or streets in said city, when they

5 may deem it necessary or conducive to the public  
6 safety.

SECT. 24. The city council may make and establish  
2 such ordinances or regulations as they may deem for  
3 the public good for the regulation of carts, drays, or  
4 other teams in said city, and prescribing the width of  
5 tire that shall be used.

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 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.  
8 And at such meeting the inhabitants of said town  
9 shall vote by a written ballot; those in favor of  
10 accepting this act having on the ballot the word  
11 "Yes," and those opposed having on the ballot the  
12 word "No"; and if a majority of all the ballots  
13 received are in favor of accepting the same, it shall  
14 then become a law and take effect. And it shall be  
15 the duty of the clerk of said town to file a copy of the  
16 record of the vote of said town accepting the same,  
17 with the clerk of the city of Lewiston, when elected,  
18 who shall transcribe such copy into the records of the



19 city, and such record shall be conclusive evidence that  
20 this act has been accepted.

SECT. 26. All acts and parts of acts inconsistent  
2 with this act are hereby repealed, from and after the  
3 time when this act shall have been accepted as afore-  
4 said, and the government shall have been organized  
5 as herein provided.

## STATE OF MAINE.

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IN SENATE, March 8, 1861.

On motion of Mr. VINTON of Cumberland, "An act to incorporate the city of Lewiston" was laid on the table, and ordered to be printed for the use of the Legislature.

JAMES M. LINCOLN, *Secretary.*