1863

The Charter and Ordinances of the City of Lewiston, with the Boundaries of the Wards, &c.

Lewiston (Me.)
ORDERED, That the Committee on Printing be instructed to procure the printing of one thousand copies of the City Charter and Ordinances, and such other matter as they shall judge to be of sufficient public interest to warrant such publication.

IN COMMON COUNCIL, June 8, 1863.

Read and passed. Sent up for concurrence.

S. H. GARCELON, Clerk.

IN BOARD OF ALDERMEN, June 15, 1863.

Passed in concurrence.

E. P. TOBIE, City Clerk.
AN ACT

INCORPORATING THE TOWN OF LEWISTON.

COMMONWEALTH OF MASSACHUSETTS.

IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY-FIVE.

An Act to incorporate the plantations of Lewiston and Gore, so called, adjoining, in the county of Lincoln, in a town by the name of Lewiston.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the following described tract of land, lying on the easterly side of Androscoggin river, beginning on the bank of said river, at the most westerly corner of the town of Greene, thence running southeast in the southerly line of said town, about six miles to the Plymouth Company's line at the southeasterly corner of Greene aforesaid, thence southerly in the line of the Plymouth Company's claim, six miles and two hundred and thirty rods. Thence southwest about two hundred and sixty rods to Androscoggin river; thence northerly by said river to the bounds first mentioned, together with the inhabitants thereon, be, and they hereby are incorporated into a town by the name of Lewiston, and the said town is hereby vested with all the powers, privileges and immunities which other towns within this
commonwealth do or may enjoy by law. And be it further enacted, by the authority aforesaid, that Benjamin Merrill, Esquire, be, and he is hereby empowered to issue his warrant, directed to some suitable inhabitant of said town of Lewiston, requiring him to notify and warn the inhabitants thereof to meet at some convenient time and place, to choose such officers as towns are by law required to choose, in the month of March or April annually.

IN THE HOUSE OF REPRESENTATIVES, } 
February 12, 1795. } 

This Bill, having had three several readings, passed to be enacted. 

EDWARD H. ROBBINS, SPEAKER.

IN SENATE, February 17, 1795.

This Bill, having had two several readings, passed to be enacted.

SAMUEL PHILLIPS, PRESIDENT.

By the Governor.—Approved. 

FEBRUARY 18, 1795. 

SAMUEL ADAMS.

True Copy—Attest, 

JOHN AVERY, JR., SECRETARY.
AN ACT

INCORPORATING THE CITY OF LEWISTON.

STATE OF MAINE.

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

An Act to incorporate the city of Lewiston.

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

SEC. 1. The inhabitants of the town of Lewiston, in the county of Androscoggin, shall continue to be a body politic and corporate by the name of the city of Lewiston; 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, said town as a municipal corporation, or appertaining to, or incumbent upon the inhabitants or selectmen thereof; and may ordain and publish such acts, laws and regulations, not inconsistent with the constitution and laws of this state, as shall be needful to the good order of said body politic; and impose fines and penalties for the breach thereof not exceeding twenty dollars for any one offence, which may be recovered to the use of said city, by action of...
Fiscal, prudential and municipal affairs, vested in mayor and city council.

Further proviso.

Mayor, duties.

May call special meetings of city council.

Sec. 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 not less than fifteen, nor more than twenty-one, to be denominated the common council, all of whom shall be inhabitants of said city; which boards shall constitute and be called the city council; all of whom shall be sworn to the faithful performance of the duties of their respective offices; provided the city council shall not vote, assess or appropriate any money for any object or purpose for which the town of Lewiston is not authorized to vote, assess and appropriate money, except for such purposes as are authorized by this act. And provided further, that neither the city council, nor any agent or officer for the city, shall borrow or hire money for, or on account of the city or inhabitants thereof, except for the purposes for which the town of Lewiston is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders, given by the city council or any officer or agent thereof, for money or property obtained for any other purpose, shall be void except those negotiable, and in the hands of a bona-fide holder for value.

Sec. 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 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 their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen and common council, or either of them, when, in his opinion, the interest of the city requires it, by a notice in one or more of the papers printed in the city, or by causing a summons or notification to be given in hand, or left at the usual dwelling
place of each member of the board or boards to be convened. He shall, from time to time, communicate to both of them such information, and recommend such measures as the business and interests of the city may, in his opinion require. He shall preside in the board of aldermen and in the joint meetings of the two boards, but shall have only a casting vote. The salary and compensation of the mayor shall be two hundred dollars per year, which shall not be increased or diminished during his continuance in office, unless by the vote of the qualified electors in ward meetings called for that purpose, nor shall he receive from the city any other compensation for any services by him rendered in any other capacity or agency; provided however, the city council may elect the mayor to any city office, and allow him a reasonable compensation for services rendered in such office; but the aldermen and common council shall not be entitled to receive any salary or compensation for any services by them performed as such.

Sec. 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Lewiston, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers now vested in the inhabitants of said town, and all powers granted by this act, 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; but all elections of officers by the city council shall be by joint ballot of the two boards in convention. The city council shall, annually, on the third Monday in March, or as soon thereafter as may be convenient, elect, and appoint for the ensuing year, all the subordinate officers and agents for the city, including a chief engineer, and other necessary engineers of the fire department, which chief engineer, and, in his absence, the subordinate engineers, shall have all the power and authority that firewards now have; shall define their duties, fix their compensation, and may, by
concurrent vote, remove officers when, in their opinion, sufficient cause for their removal exists. All officers shall be chosen and vacancies supplied, for the current year, except as herein otherwise provided. All the said subordinate officers and agents shall hold their offices during the ensuing year, and till others shall be elected and qualified in their stead, unless sooner removed by the city council; and all moneys received and collected for and on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury.

The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalties and sureties, from all persons trusted with the receipt or custody of the public money; shall have the care and superintendence of the city public buildings, and the custody and management of all the city property, with powers to let or sell what may be legally let or sold; and to purchase, in the name of the city, such real or personal property, not exceeding the sum of one hundred thousand dollars, including the property now owned by the town, as they may deem of public utility. And the city council shall, as often as once a year, cause to be published for the information of the inhabitants, an account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the treasury unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn.

SEC. 5. Every law, act, ordinance or bill appropriating money, having passed both branches of the city council, shall be presented to the mayor, and if he approve the same, he shall sign it; if not, he shall return it within seven days, with his objections, to that branch of the city council in which it shall have originated, which branch shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If, upon such reconstruction, a majority
of the whole number of that branch shall agree to pass it, it shall be sent, together with the objections, to the other branch, by which it shall be reconsidered, and if approved by a majority of the whole number of that branch, it shall have the same effect as if signed by the mayor.

SEC. 6. City assessors shall be annually appointed by the city council, who shall exercise and be subject to the same powers, duties and liabilities that the assessors in the several towns in this state may exercise and be subject to under existing laws; provided however, that the city council may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property taxable in his ward, and who shall be sworn 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; provided however, that it shall be lawful for the city council to establish further and additional provisions for the collection thereof.

SEC. 7. The city council shall have exclusive power and authority to lay out any new street or public way, or widen, or otherwise alter, or discontinue any street or way in said city, and to estimate the damage any person may sustain thereby, and shall in all other respects be governed by, and be subject to, such rules and restrictions as are by law provided in this state for regulating the laying out of public highways and repairing streets. And any person aggrieved by the decision or judgment of said city council, may, as far as relates to damages, have them assessed by a committee or jury, as is now by law provided; and any highway or town way, or bridge which has been, or may hereafter be located within said town or city, shall, nevertheless be deemed to be legally located and established.

SEC. 8. It shall be lawful for the city council, by a committee by them appointed, or by instructions to the commissioners of streets, to appropriate, set off and
reserve as side-walks, such part or portion of the several streets in said city, now or hereafter to be established, as to said council may appear necessary for the safety, convenience and accommodation of foot passengers. It shall be lawful for the city council to permit or direct posts of stone, or wood, or trees to be placed along the edge of said side-walk next to the travelled part of the street, in such number and manner as they may deem necessary to protect said side-walks, and the persons travelling thereon from damage or inconvenience from teams or carriages. So much of the several streets in said city as shall be appropriated and reserved as side-walks, agreeable to the provisions of this act, shall be taken and deemed to be reserved exclusively for the accommodation, convenience and use of persons travelling on foot; and said city shall not be liable to damages for any injury done or occasioned in consequence of any cart, carriages, wagon or other vehicle, or any team or animal striking against any of said side-walks, or the posts or trees set or placed to defend the same. The several side-walks on the streets in said city, as at present established and used, shall be taken and deemed to be the proper and lawful reservation for that purpose, until altered or otherwise established by the proper authority.

SEC. 9. The city council shall have power, on such terms and conditions as they may think proper, to 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, provided that no more than one-third of the width of the street shall be so occupied; and such materials so placed by virtue of any license obtained as aforesaid, shall not be considered as an incumbrance or nuisance in such street, and the city, or person or corporation so placing the same, shall not be liable for any damages occasioned by such materials.
SEC. 10. All the laws and regulations now in force in said town shall, notwithstanding this act, be and remain in force until they expire by their own limitations, or be revised or repealed by the city council; and prosecutions and suits may be commenced and proceeded thereon in the name of the city, by officers or other persons thereby empowered or directed to prosecute and sue; and the fines and penalties shall go to the uses in such laws or regulations named, and according to law.

SEC. 11. A police court shall be, and is hereby established in and for the city, to be called the municipal court of the city of Lewiston, to consist of one judge, who shall be appointed and commissioned in the manner provided by the constitution, who shall have concurrent jurisdiction with trial justices in all matters civil and criminal, under twenty dollars, within the county of Androscoggin, and shall have original and exclusive jurisdiction in all civil actions, under twenty dollars, in which both parties interested, or in which the party, plaintiff, and person or persons summoned as trustees, shall be inhabitants of or residents of said city of Lewiston, excepting all actions in which said judge may be interested; and said court shall have concurrent jurisdiction with trial justices in all cases of forcible entry and detainer, arising in said county, and original and exclusive jurisdiction in all such cases arising in the city, and shall also have original and exclusive jurisdiction in all cases of violation of the by-laws of said city. And any person aggrieved by any judgment awarded by said court, may appeal therefrom in like manner as if the same had been awarded by any trial justices, justices of the peace, or justices of the peace and quorum.

SEC. 12. It shall be the duty of said court to make and keep its own records, which records shall be such as would be legal records in a court of a trial justice, and copies of the records of said court, duly certified, shall be evidence in the other courts of this state. Said court shall be held on Monday of each week, at nine
of the clock in the forenoon, at such place as the city shall provide for the purpose, for the transaction of civil business; and all civil processes shall be made returnable accordingly. And the fees in all cases, civil and criminal, shall be the same as are now taxable by trial justices, provided that the price of blank writs, signed by said judge, shall be four cents. And all fines, penalties and costs which may be awarded by said court in the administration of its criminal jurisdiction, shall be accounted for and paid over by said judge, in the same manner as if the same had been awarded by the sentence of a justice of the peace or trial justice; and said judge shall, once in three months, render an account to the treasurer of said city of all sums of money by him received as fees of office, or for copies of papers, and shall be held to pay such sums into the city treasury.

Sec. 13. In case of the death, sickness, or other disability of the judge to attend at the time and place as provided in the preceding section for the transaction of civil business, the said court shall stand adjourned till the next term of said court, and so from time to time, without costs to either party, until the judge is able to attend; and in case of disability to perform the other duties of his office, the criminal jurisdiction of said court shall devolve upon the trial justices for the county of Androscoggin; and all proceedings instituted during such disability shall be finally determined by the justices instituting the same.

Sec. 14. The city of Lewiston shall have power, and it shall be its duty, to raise money to provide a suitable room in which to hold said court, and to furnish the same in an appropriate manner. The judge of said municipal court shall receive from said city of Lewiston, in quarterly payments, an annual salary of such amount as the city council shall vote and determine, which shall be in full for all fees pertaining to said office. And the said judge shall not act as counsel or attorney in any case within the jurisdiction of said court, nor in any suit, matter or thing which may depend on, or have
CITY CHARTER.

relation to, any case, matter or thing depending or cognizable in said court.

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

Sec. 16. For the purpose of holding elections, said city shall, after the first election, be divided into not less than five nor more than seven wards, to contain as near as conveniently may be, an equal number of inhabitants; and it shall be the duty of the city council, once in ten years, and not oftener than five years, to review, and if it be needful, to alter said wards, in such manner as to preserve as nearly as may be, an equal number of inhabitants in each ward. In each of said wards, there shall annually, on the first Monday of March, be chosen by ballot, a warden and clerk, who shall hold their offices until Tuesday next after the first Monday of March of the succeeding year, and until others have been chosen and qualified in their stead. Said warden and clerk shall be sworn to the faithful performance of their duty, by any justice of the peace of said city, or by the person presiding in said meeting, or by the clerk of said ward, and a certificate of such oath having been administered, shall be entered by the clerk on the records of said ward. The wardens shall preside at all ward meetings, with the powers of moderators of town meetings, and if at any meeting the warden shall not be present, the clerk of the ward shall call the meeting to order and preside till a warden pro tem. shall be chosen. If neither the warden nor clerk shall be present, any legal voter
in the ward may preside till a clerk pro tem. shall be chosen and qualified. The clerk shall record all the 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 inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. The list of the names of the legal voters in each ward shall be prepared by the assessors and board of aldermen, assisted by the wardens, in the same manner and under the same restrictions, as are imposed by the laws of this state on the assessors and selectmen of towns; and all regular ward meetings shall be notified and called by the mayor and aldermen in the manner provided in the laws of this state for notifying and calling town meetings by the selectmen of the several towns, excepting that ward meetings for the election of mayor after the second trial, may be called within the time provided in such cases in this act.

SEC. 17. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman and three common councilmen shall be elected by each ward, being residents in the wards 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 third Monday in March, and until others shall be elected in their places; provided however, that if the city shall be divided into less than seven wards, then one or two (as the case may be) of the aldermen shall be elected at large by the inhabitants of the city, the whole number of aldermen in no case to be more than seven, as provided in section second of this act.

SEC. 18. The mayor and aldermen shall appoint a city marshal in the manner provided in section fourth of this act, who shall have all the powers and exercise all the duties that now appertain to constables of towns, and who shall be chief of the city police, and as such may enforce such ordinances and regulations under the direc-
tion of the mayor, as may be adopted by the city council for the government of the city of Lewiston.

SEC. 19. On the first Monday of March, annually, the qualified electors of each ward shall ballot for a mayor, one alderman and three common councilmen, warden and clerk; all the votes given for the said several officers, respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of persons voted for and the number of votes given for each to be written on the ward record at length. The ward clerk, within twenty-four hours after such election, shall deliver to the persons elected alderman and common councilmen certificates of their election and shall forthwith deliver to the city clerk a certified copy of the record of such election; provided however, that if the choice of alderman and common councilmen cannot conveniently be effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second balloting for any alderman, common councilmen, warden or clerk, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial, shall be declared elected; if no one shall then have such highest number, the balloting shall be continued from day to day until a choice is thus effected. 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 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 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 should fail on a second ballot to elect a mayor, the said board shall again issue their warrants for a third election, to be held not less than three nor more than seven days thereafter; at which election, the candidate having the greatest number of votes shall be declared
elected, and notified as aforesaid; if no one shall then have such number, further elections shall in the same manner be ordered, till a choice shall be made, by some one having the highest number of votes; 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 herein before provided for the choice of said officer; and in the meantime the president pro tempore of the board of aldermen shall perform the duties of mayor. The oath 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 third Monday of March, at ten of the clock in the fore­noon, meet in convention, when the oath 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, and thereupon the two boards shall separate, and the board of common council shall be organized by the election of a president and a clerk.

SEC. 20. The city clerk shall be the clerk of the board of aldermen: he shall perform such duties as shall be prescribed by the board of aldermen or common council, and shall perform all duties, and exercise all the powers by law incumbent upon, or vested in, the town clerk of the town of Lewiston; he shall give notice in one or more of the papers printed in said city, of the time and place of regular ward meetings; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president pro tempore, who shall preside at joint meetings of the two boards. Each board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election, or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business, shall in each board consist of a majority of the members thereof; all meetings of
the aldermen and common council, and all meetings of the two boards in convention, 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.

**Sec. 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 after their organization, to cause a division of said city to be made into not less than five, nor more than seven wards, in such manner as to include as nearly as conveniently may be, consistently with well defined limits to each ward, an equal number of inhabitants in each ward. And at the first meeting after such division into wards, any inhabitant of said wards, being a legal voter, may call the citizens to order and preside until a warden shall have been chosen; and at said first meeting a list of voters in each ward, prepared and corrected by the board of aldermen, shall be delivered to the clerk of
each ward when elected, to be used as provided by the laws in town meetings.

**SEC. 22.** The city council shall have authority to establish and make regulations for the measurement and sale of wood and bark in said city, whether brought by teams or railroad, and may affix suitable penalties for the violations thereof, anything in the public laws of the state to the contrary notwithstanding.

**SEC. 23.** The city council are hereby authorized and empowered to pass any ordinance or ordinances regulating or forbidding the erection of wooden buildings on any street or streets in said city, when they may deem it necessary or conducive to the public safety.

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

**SEC. 25.** All the power and authority vested in the inhabitants of any school district in the city of Lewiston, by virtue of chapter eleven of the revised statutes relating to the education of youth, shall be and the same is hereby invested in the board of aldermen and common council of the city as aforesaid.

**SEC. 26.** This act shall take effect and be in full force when the same shall have been accepted by the inhabitants of said town qualified to vote in town affairs, at a legal meeting called for that purpose, provided it shall be accepted within five years from the passage of this act; but no more than one meeting for that purpose shall be called in any one year. And at such meeting the inhabitants of said town shall vote by a written ballot; those in favor of accepting this act having on the ballot the word "Yes," and those opposed having on the ballot the word "No"; and if a majority of all the ballots received are in favor of accepting the same, it shall then become a law and take effect. And it shall be the duty of the clerk of said town to file a copy of the
record of the vote of said town accepting the same, with the clerk of the city of Lewiston, when elected, who shall transcribe such copy into the records of the city, and such record shall be conclusive evidence that this act has been accepted.

Sec. 27. All acts and parts of acts inconsistent with this act are hereby repealed, from and after the time when this act shall have been accepted as aforesaid, and the government shall have been organized as herein provided.

In the House of Representatives, March 15, 1861.

This Bill, having had three several readings, passed to be enacted.

J. G. Blaine, Speaker.

In Senate, March 15, 1861.

This Bill, having had two several readings, passed to be enacted.

J. H. Goodenow, Speaker.

March 15, 1861.

Approved.

Israel Washburn, Jr.

State of Maine.

Augusta, August 23, 1862.

I hereby certify that the foregoing "act to incorporate the city of Lewiston," is a true copy of the original as deposited in this office.

Lewis D. Moore,
Deputy Secretary of State.
ACTS AMENDING THE CITY CHARTER.

STATE OF MAINE.

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

An act to amend "an act to incorporate the city of Lewiston," approved March fifteen, eighteen hundred and sixty-one.

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

SEC. 1. Section eleven of an act to incorporate the city of Lewiston, approved March fifteen, eighteen hundred and sixty-one, is hereby amended in the seventeenth line, by inserting after the word "city," the words—and exclusive jurisdiction for the trial of all criminal offences committed in said city, cognizable by a trial justice, provided, that it may be lawful for the trial justices in said county to receive complaints and grant warrants for such offences, to be made returnable before the judge of said police court.

SEC. 2. Section twelve of said act is hereby amended in the eleventh line, by adding thereto after the word "costs," the words—except in cases hereinafter mentioned, to wit: said judge may demand and receive one dollar for every warrant issued by him, and one dollar for the trial of the issue in each criminal and civil action, and one dollar additional for each day that the trial may continue beyond the first.

SEC. 3. Section twenty-one of said act is hereby amended in the eighth line, by inserting after the words...
AMENDMENTS.

"and fifteen councilmen," the words—and a judge of the police court.

Sec. 4. Section twenty-five of said act is hereby amended in the third line, by inserting after the word "youth," the words—and of the amendments thereof and acts additional thereto, and of "an act respecting school district number two in Lewiston," approved March six, in the year of our Lord eighteen hundred and sixty. And said section is further amended by adding thereto, the words—and the term of office of the school officers of such district, shall continue until other officers shall be appointed in their place and no longer.

Sec. 5. This act shall take effect on its approval by the governor.

IN THE HOUSE OF REPRESENTATIVES,}
February 18, 1863. }

This bill having had three several readings, passed to be enacted.

NELSON DINGLEY, JR., SPEAKER.

IN SENATE, February 19, 1863.

This bill having had two several readings, passed to be enacted.

N. A. FARWELL, PRESIDENT.

FEBRUARY 19, 1863.

Approved.

ABNER COBURN.

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE, }
AUGUSTA, March 26, 1863. }

I hereby certify that the foregoing is a true copy of the original as deposited in this office.

JOSEPH B. HALL,
SECRETARY OF STATE.
An act to amend an act to incorporate the city of Lewiston.

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

SEC. 1. Section fifteen of “an act to incorporate the city of Lewiston,” is hereby amended, so that the same shall read as follows:

All actions, suits, matters and things, which may be pending before the municipal court for the town of Lewiston, and all suits, executions, warrants, recognizances and other processes returnable to said court at the time this act takes effect, shall be transferred and returnable to and shall be entered, prosecuted, heard, determined and executed in and by the municipal court for the city of Lewiston, the same as if originated therein, which (said court) shall be the depository of all the records of, and shall have full power and authority to issue and renew executions and to carry into effect any judgment of, and to complete all processes and proceedings commenced in or by said court, and to certify and duly authenticate the records, or their contents, of the municipal court for the town of Lewiston, as effectually in all respects as said last named court could have done had not this act been passed.

SEC. 2. This act shall take effect from and after its approval by the governor.

IN THE HOUSE OF REPRESENTATIVES,
March 4, 1863.

This bill having had three several readings, passed to be enacted.

NELSON DINGLEY, JR., SPEAKER.
AMENDMENTS.

In Senate, March 5, 1863.

This bill having had two several readings, passed to be enacted.

N. A. FARWELL, President.

March 9, 1863.

Approved.

ABNER COBURN.

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STATE OF MAINE.

Office of Secretary of State, Augusta, March 26, 1863.

I hereby certify that the foregoing is a true copy of the original as deposited in this office.

JOSEPH B. HALL,
Secretary of State.
MEETING TO ACT ON CITY CHARTER.

At a meeting of the inhabitants of the town of Lewiston qualified to vote in town affairs, legally called and notified, held at Lisbon Hall in said town, on the twenty-second day of November, A. D., 1862, voted by ballot and elected Jacob B. Ham, Moderator.

The said inhabitants gave in their ballots upon the question submitted to them in this article, to wit: Will the town accept an act entitled "an act to incorporate the city of Lewiston," approved March 15th, 1861. And so many as were in favor of accepting the provisions of said act, gave in their votes with the word "Yes" expressed thereon, and so many as were opposed to the same, gave in their votes with the word "No" expressed thereon. And the said ballots were received, sorted and counted, and declared, in open town meeting by the moderator, in presence of the town clerk, and the result was as follows:

Whole number of ballots given in, was one hundred and thirty-three.

The number of ballots having the word "Yes" expressed thereon, was one hundred and twenty-four.

The number of ballots having the word "No" expressed thereon, was nine.

Accordingly, there being a majority of the ballots given in with the word "Yes" expressed thereon, the provisions of said act are approved and accepted by the town.

J. B. HAM, MODERATOR.

Attest: EDWARD P. TOBIE, Town Clerk.
CITY OF LEWISTON.

BOUNDARIES OF THE SEVERAL WARDS,
AS ESTABLISHED BY THE MAYOR AND ALDERMEN,
JUNE 22, 1863.

WARD I.
Bounded as follows: Commencing at the junction of Sabattis and Main streets; thence northerly by the centre of Main street to the Jepson brook; thence westerly by the brook to the river; thence northerly by the river to the town of Greene; thence easterly by the line of Greene to the town of Webster; thence southerly by the line of Webster to the Sabattis road; thence westerly by the centre of Sabattis road to the first mentioned bound.

WARD II.
Bounded as follows: Commencing at the junction of Sabattis and Main streets; thence northerly by the centre of Main street to the Jepson brook; thence westerly by the brook to the river; thence southerly by the river and canal to Main street; thence easterly by the centre of Main street to the first mentioned bound.

WARD III.
Bounded as follows: Commencing at the junction of Horton and Sabattis streets; thence westerly by the centre of Sabattis and Main streets to the main canal;
WARD BOUNDARIES.

thence by the canal to the guard locks; thence southerly by the river to the outlet of branch canal number one; thence easterly by the centre of said canal and centre of Ash street to Horton street; thence northerly by the centre of Horton street to the first mentioned bound.

WARD IV.

Bounded as follows: Commencing at the junction of Ash and Bates streets; thence westerly by the centre of Ash street and cross canal number one to the river; thence southerly by the river to branch canal number three; thence easterly by said canal to lower canal; thence northerly by said lower canal to Chestnut street; thence easterly by the centre of Chestnut street and Common to Bates street; thence northerly by the centre of Bates street to the first mentioned bound.

WARD V.

Bounded as follows: Commencing at the junction of Cedar street and the lower canal; thence by the centre of lower canal to Chestnut street; thence easterly from lower canal by the centre of Chestnut street and Common to Bates street; thence northerly by the centre of Bates street to Ash street; thence easterly by the centre of Ash street to Horton street; thence southerly by the centre of Horton street to Birch street; thence westerly by the centre of Birch street to Lisbon street; thence northerly by the centre of Lisbon street to Cedar street; thence westerly by the centre of Cedar street to the first mentioned bound.

WARD VI.

Bounded as follows: Commencing at the outlet of the brook south of the Androscoggin mills; thence easterly by said brook to Horton street; thence northerly by the centre of Horton street to Birch street; thence westerly by the centre of Birch street to Lisbon street; thence northerly by the centre of Lisbon street to Cedar street; thence westerly by the centre of Cedar street to lower
WARD BOUNDARIES.

canal; thence northerly by lower canal to branch canal number three; thence westerly by said canal to the Androscoggin river; thence southerly by the river to the first mentioned bound.

WARD VII.

Bounded as follows: Commencing at the outlet of the brook south of the Androscoggin mills; thence easterly by said brook to Horton street; thence northerly by the centre of Horton street to Sabattis street; thence easterly by the centre of Sabattis street to the line of the town of Webster; thence by the line of the towns of Webster and Lisbon to the Androscoggin river; thence northerly by the river to the first mentioned bound.
CITY ORDINANCES.

CITY OF LEWISTON.

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

An Ordinance consolidating the General Ordinances of the City.

Be it ordained by the City Council of the City of Lewiston, as follows:

CHAPTER I.

ORDINANCES.

Section 1. All by-laws passed by the city council, shall be termed ordinances, and the enacting style shall be, "Be it ordained by the city council of the city of Lewiston, as follows."

Sec. 2. All the ordinances shall be engrossed in a fair and legible hand without interlineation or erasure, and recorded by the city clerk in a book for that purpose with proper margin and index, to be lettered, "Record of Ordinances of the City of Lewiston," which book shall be preserved in the office of the city clerk subject to the inspection of the citizens.
ORDINANCES.

CHAPTER II.

CITY SEAL.

SECTION 1. The seal of the city of Lewiston shall be as follows:

![City Seal of Lewiston]

CHAPTER III.

OFFICERS OF THE CITY.

SECTION 1. The following officers shall be chosen by the city council in the month of March, or as soon thereafter as may be, annually, viz.: a city clerk, a treasurer, three assessors of taxes, three overseers of poor, a superintending school committee of not less than three, a city physician, a city solicitor, an auditor of accounts, a commissioner of streets, a chief engineer and four assistant engineers for the fire department, and a collector of taxes, by ballot; and by ballot or other method agreed on by vote of the city council in convention, seven or more constables, three fence viewers, three or more surveyors of lumber, two or more measurers of wood and bark, a sealer of leather, a culler of staves, pound-keeper, a truancy committee of three, seven or more tythingmen, a superintendent of burials, and seven or more sextons; provided, however, that the city council may appoint the treasurer to be collector of taxes, by joint resolution in March or April annually.

SEC. 2. The mayor and aldermen shall appoint in March or April annually, a city marshal, one or more assistant marshals, and as many policemen or watchmen as they may judge necessary. Also a sealer of weights and measures, and all other necessary subordinate city
officers, for the election of which no specific provision
is made by statute or other city ordinance. And they
may also establish such fees for the services of such offi­
cers so appointed by them, as they may deem just and
proper, in all cases where the same are not established
by statute or ordinance.

SEC. 3. Each of the officers named in this chapter
shall continue in office until the next regular election,
and until their respective successors be chosen and qual­
ified, except in case of removal, as hereinafter provided.

SEC. 4. Either of the officers named in section one
may be removed by concurrent vote of the city council.
And either of the officers named in or appointed as pro­
vided in section two may be removed by the mayor and
aldermen.

SEC. 5. In case any of said offices shall become vacant
by death, resignation, removal or other cause, a new
election or appointment for the remainder of the term
of such office shall be forthwith had.

SEC. 6. The salaries and compensation of all city offi­
cers shall be established by vote of the city council in
the month of January of each year, for the year com­
mencing the third Monday in March next ensuing, and
no salary shall be altered during said ensuing year; pro­
vided, however, that the salaries and compensation of all
city officers for the present year shall be established by
vote of the city council.

SEC. 7. Each city officer elected or appointed shall be duly sworn to the faithful and impartial performance
of the duties of his office.

CHAPTER IV.
DUTIES OF OFFICERS.

Assessors.

SEC. 1. It shall be the duty of the assessors to com­
plete their assessment, and place the list of taxes in the
hands of the collector on or before the first day of July
annually.
ORDINANCES.

SEC. 2. When any tax shall be abated in whole or in part by the assessors, they shall make a record thereof in a book to be kept by them for that purpose, which record shall contain the names of all persons whose taxes may be so abated, the amount of each originally assessed, the amount abated, and the reasons for such abatement; and they shall report to the city council, annually, on the first week in February, and oftener, if required, an account of said abatements, and the reasons for the same.

School Committee.

SEC. 3. The superintending school committee are authorized to elect all such instructors as they may think necessary for the public schools, and to determine the amount of their respective salaries; also to remove any instructor from said schools, when in their discretion it may be proper; and generally to execute all the powers which the selectmen of towns, school committees, or school agents, are authorized by the laws of this State to exercise. They shall furnish to the committee of the city council on schools and schoolhouses, from time to time, such information as may be required.

SEC. 4. No person who has not been vaccinated or otherwise secured against contagion of small pox, shall be permitted to attend any of the city schools.

SEC. 5. The school committee may cause any scholar of any of the city schools to be vaccinated by the city physician, and it shall be their duty to carry into effect the provisions of this and the preceding section, and for that purpose to make such rules and regulations as they may deem proper.

Overseers of Poor.

SEC. 6. The overseers of the poor are hereby empowered and directed, annually, in the months of March or April, to employ some person to take the charge of the almshouse, and the farm connected with the same, and to have the superintendence, control and direction of all the inmates of the almshouse, to attend to their
wants, to provide for their comfort, and to devise ways and means for the profitable employment of such as are able to labor. He shall at all times be under the direction of the overseers of the poor, and removable at their pleasure; and shall receive for his services and those employed under him, with the assent of the overseers, such compensation as shall be agreed upon, to be paid quarterly. All vacancies occurring in said office shall be filled by the overseers as soon as may be.

City Physician.

SEC. 7. It shall be the duty of the city physician to attend, under the general direction of the overseers of the poor, upon all sick paupers and patients under the care of the city authorities at the almshouse or elsewhere, to render all the services by law incumbent upon physicians appointed by boards of health, to report annually on the first of March to the city council a bill of mortality or list of deaths of the previous year, stating the age, sex and disease of the person deceased. In case of an alarm of any contagious or infectious disease, to give to either branch of the city council, or any committee thereof, all such professional advice and counsel as they may require of him; to vaccinate all scholars of the public schools that may be sent to him by the school committee for that purpose, and generally to perform such other professional services as may reasonably be required of him by the mayor and aldermen or the city council.

City Solicitor.

SEC. 8. It shall be the duty of the city solicitor to draft all bonds, contracts, or other legal instruments which may be required of him by any ordinance, or by order of the mayor, aldermen or city council for said city, and which by law, custom or agreement is to be drawn at the expense of the city; also to prosecute or defend, as the case may be, all suits in which the city may be a party or interested, to investigate all claims against the city for damage, and report the result of
such investigation to the mayor and aldermen, together with his legal opinion in the premises, and to do all and every professional act incident to the office, or which may be required of him by the city government, or by any joint or special committee thereof, or any order or ordinance of the city council or any branch thereof. And the said solicitor shall also, whenever required, furnish the mayor, aldermen or common council of said city, or any joint or special committee thereof, with his opinion in writing, on any legal subject which may be submitted to him, and shall render professional advice to the overseers of the poor, or any officer of the city government who may require his opinion on any subject touching the duties of their respective offices. Said solicitor shall, annually, before the close of the municipal year, make a report, in writing, to the city council, of the unfinished business in his department, including the names, grounds and stages of progress of all suits pending, in which the city is a party or interested, with the names and results of such suits affecting the city, as may have been decided or adjusted during the year, and such other information as to the business of his department as he may think important, or the city council may direct.

Street Commissioner.

Sec. 9. It shall be the duty of the street commissioner, under the direction of the mayor and aldermen, to superintend the general state of the highways, streets, sidewalks, lanes, alleys, public walks and squares of the city; to attend to the widening, altering and repairing of the same, and to make all contracts for ordinary labor and materials therefor, and to superintend the building or repairing of any common drain, sewer or reservoir.

Sec. 10. All the powers vested in and the duties required of highway surveyors by the laws of the State, are hereby vested in and required of the street commissioner.
ORDINANCES.

SEC. 11. He shall **make** himself acquainted with the lines and bounds of streets, and place monuments thereon when necessary; shall remove obstructions on the highways, and give notice to the mayor or city marshal, of all nuisances, obstructions or encroachments, which he cannot forthwith remove.

SEC. 12. He shall make arrangements for cleaning the streets, and disposing of the manure therein. He shall have charge of the carts, teams, plows and other implements used upon the highways, belonging to the city, and see to it that they are properly used and properly taken care of when not in use.

SEC. 13. He shall, on the first day of each month, render an account of all bills contracted for materials and labor performed, and in the first week of the month of March, he shall make to the mayor a full and complete statement in writing of the condition of the roads, streets, sewers and sidewalks at the time of making said report, with an estimate in detail of the sum necessary in his opinion to be expended thereon for the year ensuing; to which report shall be annexed a schedule of the tools and other city property in his charge.

City Marshal and Police.

SEC. 14. The city marshal and assistant marshals shall be severally appointed to the office of constable; and before entering upon the duties of their office, shall take the oath prescribed by law for constables, and shall each give bond in the sum of three hundred dollars, with surety, to be approved by the mayor and aldermen, for the faithful performance of the duties of his office.

SEC. 15. The city marshal shall have precedence and command over the assistant marshal and the constables of the city, when acting together in the same service, or when thereto directed by the mayor. In the absence of the city marshal, the assistant marshal shall have such precedence and command. They shall aid and assist the city marshal in executing the duties of his office when requested by him, or directed so to do by the
ORDINANCES.

mayor. But when neither the city marshal nor assistant marshal shall be present, said constables shall have power to act in their stead.

SEC. 16. The said marshal shall from time to time pass through the streets, lanes, courts and alleys of the city, and take notice of all nuisances, obstructions and impediments therein, and on the side-walks thereof, and cause the same forthwith to be removed, and the authors thereof to be prosecuted according to law. He shall observe all defects and wants of the highways and streets, and give immediate notice thereof to the mayor and aldermen, to the end that the same may be repaired. He shall to the utmost of his powers preserve the public peace, and prevent all riots, disorders and unlawful practices within the city. He shall carry into execution within the city, the laws of the state, and all the ordinances of the city, and be vigilant to detect and bring to punishment all violators thereof. He shall obey and execute all the commands of the mayor and aldermen, which in any way relate to the interest or security of the city and the inhabitants thereof. He shall receive all complaints made to him of any violation of the laws or of any ordinance of the city, and shall, in behalf of the city, cause the offenders against such laws and ordinances, to be promptly prosecuted before the municipal court of the city of Lewiston, and shall attend, on behalf of the city, at their trials. He shall lay before the mayor and aldermen, once in three months, and oftener if required, a statement of all offences against the laws of the state and the ordinances of the city, and of all prosecutions instituted by him on behalf of the city, and the result thereof.

SEC. 17. The said marshals shall have all the powers of health officers, as provided by statute, and shall, under the authority and control of the mayor and aldermen, carry into execution all rules and ordinances which shall from time to time be made by the city council, relative to the causes of sickness, nuisances, and sources of filth, which may affect injuriously the health or
comfort of the inhabitants; and they shall cause all such nuisances, sources of filth, and causes of sickness, to be immediately removed, destroyed, or prevented, conformably to such ordinances and laws of the state.

Sec. 18. The said marshals and the other constables of the city shall, in case of fire, repair to the place where the fire may be, and attend diligently to the public peace, and the prevention of thefts and of the loss or destruction of property.

Sec. 19. The city marshal shall be captain of the watch, and shall obey and execute all rules and orders made and given him in charge in that behalf by the mayor and aldermen. He shall, when on the watch, pass in and about the streets, lanes and principal inhabited places of the city, to prevent danger by fire, and to see that order is kept, and that all disturbances and disorders are prevented and suppressed, and, for that purpose, he as well as any of the night watch or police, shall have authority to examine all persons whom they shall see walking abroad in the night, after ten o'clock, and whom they shall have reason to suspect of any unlawful design, and to demand of them their business abroad at such time, and whither they are going; to enter any dram-shop, cellar or other buildings, for the purpose of suppressing any riot or disturbance therein, and to arrest any persons there found making or abetting in such riot or disturbance, and all persons so walking abroad and suspected of any unlawful design, as aforesaid, who shall not give a satisfactory account of their so being abroad and of their business, and all persons so arrested in such dram-shop, cellar, or other building, shall be secured by imprisonment or otherwise, to be safely kept until the next morning, and shall then be taken before the municipal court, to be examined and proceeded with according to the nature of their offence.

Sec. 20. The said marshal and all watchmen, when attending watch, shall wear such badge of their office as the mayor and aldermen shall prescribe.
SEC. 21. All police officers shall hold their office until the last day of the month of March next succeeding their appointment, unless removed, and shall each of them render to the city marshal, once in three months, an account of their services, and of the time spent in the discharge of their official duties.

SEC. 22. The city marshal shall also, by himself or his deputies, receive, deliver and execute all notifications, summonses and precepts issued by the mayor, the city council, or either branch thereof, or any committee of the same, and shall serve any notifications upon the members of any committee, or upon any officer elected by the city council or elected or appointed by the mayor and aldermen, when thereunto required by the city clerk or clerk of the common council. He shall have charge of the municipal court room, and shall prepare and arrange the same for the use of the court, and under the direction of the mayor, shall provide fuel, lights, stationery and all other things necessary for the use and accommodation of the municipal court, as contemplated in the act establishing the same, and he shall at all times be subject to such further orders and regulations as may be made by the city council.

City Clerk and Clerk of Council.

SEC. 23. The city clerk shall keep a full record of all the doings of the board of aldermen, and of all conventions of the city council, which record shall be subject at all times, to the inspection of any citizen.

SEC. 24. The city clerk shall cause all persons appointed to office by the mayor and aldermen, and all persons elected to office by the city council, to be seasonably notified of their appointment or election; and the chairman of all committees, the appointment of which originated in the board of aldermen, also the chairman of all joint committees, he shall cause to be notified of their appointment; and it shall be his duty to transmit to the common council all papers requiring the concurrence of
ORDINANCES.

that board. He shall also have the superintendence of
the rooms in which the two boards of the city council
shall hold their sessions, and shall provide, at the expense
of the city, all necessary fuel, lights and stationery for
the use of either branch of the city council, or any com-
mittee thereof.

SEC. 25. He shall keep all papers belonging to the
city in suitable files prepared for the purpose, and shall
carefully preserve all ordinances, after they shall have
finally passed, in a convenient form for inspection or
reference, and shall generally perform all duties and
exercise all the powers by law incumbent upon or vested
in town or city clerks.

SEC. 26. The clerk of the common council shall keep
a full and accurate record of all the doings of the com-
mon council, which shall be open to the inspection of
the mayor, president of the common council, or any
committee of said council. He shall engross in a fair,
round hand, all ordinances and joint resolves passed to
be engrossed by the two branches of the city council.
All papers properly belonging to the common council,
he shall keep in suitable files, intelligibly endorsed for
convenient reference. He shall cause all papers requir-
ing the concurrence of the board of aldermen to be
transmitted to that board with as little delay as practica-
ble, and shall attend to the notifying of the chairmen of
committees of the common council, and generally he
shall perform all such duties as may be prescribed by
the common council or the city council.

CHAPTER V.

FIRE DEPARTMENT.

SEC. 1. The fire department shall consist of a board of
engineers, composed of a chief, four assistant engi-
neers, two or more engine companies, and one or more
hook and ladder or hose companies. The engineers shall have and exercise all the powers and be subject to all the duties of firewards, and may make such regulations for their own government as they may think proper, subject to the approval of the mayor and aldermen.

Sec. 2. They shall have the superintendence and control of the engine houses and the engines and apparatus of the fire department, and over the officers and members of the companies belonging to said department, and may make such rules and regulations for the efficiency, discipline and good order of the department, and for the extinguishment of fires, as they may from time to time think expedient, and as may be approved by the mayor and aldermen.

Sec. 3. The chief engineer shall have command at fires, and in his absence, the engineer next in seniority shall act as chief engineer.

Sec. 4. It shall be the duty of the chief engineer to examine, from time to time, the condition of the engines and other fire apparatus, and the engine and other buildings used for the purposes of the fire department, and also the reservoirs; and shall annually, or whenever required, report the same to the mayor and aldermen. He shall keep fair and exact rolls of the respective engine and hook and ladder or hose companies, specifying the time of admission and discharge and the age of each member; and shall report annually at the close of his official term, to the city clerk, all accidents by fire which may happen within the city, with the causes thereof, so far as can be ascertained, and the number and description of the buildings injured or destroyed, with an estimate of the damages or loss of property, and the names of the owners and occupants.

Sec. 5. It shall be the duty of the board of engineers to inquire and examine into all shops and other places where shavings and other combustible materials may be collected and deposited, and at all times to be vigilant in causing the removal of the same, whenever in the opinion of any two of them the same may endanger the
ordinances.

Sec. 6. When any chimney, stove or stove pipe within said city shall be defective or out of repair, or so constructed or placed that any building or other property shall be in danger therefrom, it shall be the duty of the chief engineer, or any two engineers of the fire department, to give notice in writing to the owners or possessor of said chimney, stove or stove pipe, to remove or repair the same. And if said owner or possessor shall for the space of forty-eight hours after such notice neglect to remove or effectually repair such chimney, stove or stove pipe, he shall forfeit a sum not less than ten dollars nor more than twenty dollars; and he shall be liable to a similar forfeiture for every week he shall neglect to remove or effectually repair the same after the termination of said forty-eight hours. And if said owner or possessor shall neglect to remove or effectually repair said chimney, stove or stove pipe, within forty-eight hours after the notice as aforesaid, it shall be lawful for the chief engineer to remove or repair said chimney, stove or stove pipe, the expenses of which may be recovered by an action of the case by the city treasurer against the said owner or possessor.

Sec. 7. Whenever a fire shall break out, the engineers shall repair to the place where it may be, and direct the employment of the engines and other apparatus for the extinguishment thereof, the removal and security of property endangered by the fire, or the removal or demolishing of buildings increasing the danger from the fire, according to law, and for these purposes may compel aid from other persons present, as well as the fire department, and cause order to be preserved in the vicinity of the fire and by the fire companies, on all occasions when on duty.

Sec. 8. No person shall be appointed a member of the engine companies, or hook and ladder or hose companies who is not a resident of this city, and sixteen years...
Names of members to be transmitted to aldermen.

Meetings for choice of officers.

Foremen to return names of officers and members.

Duties of foremen and clerks of companies.

Duties of officers and members.

ORDINANCES.

of age. The names of all persons selected by said companies for admission thereto, shall, within ten days thereafter, be returned by the respective clerks thereof, to the chief engineer, specifying the age of the persons admitted, and the time of their admission, who shall transmit them, with his approval or objections, to the mayor and aldermen for appointment.

SEC. 9. The several engine companies and the hook and ladder or hose companies shall meet on the first Monday in May, annually, for the choice of officers and for the adoption of such regulations and by-laws for their own government as they may think proper, subject to the approval of the mayor and aldermen; and the foremen shall within ten days thereafter make to the mayor and aldermen a return of the officers so chosen, and to the chief engineer full lists of their several companies.

SEC. 10. The respective foremen of the engine companies shall see that their engines, apparatus and buildings are kept clean and in order for use. They shall preserve order and obedience to the regulations, laws, and ordinances relating to them, in their several companies when on duty, and shall report to the chief engineer the names of such as neglect duty or disobey orders. The clerks shall keep correct lists of their companies, specifying the time of admission and discharge, and the age of each member; also an account of all city property entrusted to the care of their companies, which shall always be open to the inspection of the mayor and aldermen and the chief engineer.

SEC. 11. The officers and members of the several fire companies, on an alarm of fire, shall forthwith repair to their respective apparatus, and in a speedy and orderly manner convey the same to the place of danger or fire, and under the direction of the chief or other engineers, exert themselves in a faithful manner, and perform all such services as may be required of them by any engineer to extinguish the fire and protect property exposed to it. On being dismissed from the fire by the chief engineer they shall in an orderly manner safely return
their apparatus to the place of deposit, and cause it to be well cleaned and safely housed.

SEC. 12. The several engine companies shall meet once every month to inspect their apparatus, to keep the same in order and fit for use; and as often as the engineers shall direct, shall draw out their respective engines to work and cleanse them, and to drill and exercise the companies.

SEC. 13. Any member who shall neglect or refuse duty, disobey orders, or behave in a disorderly manner, shall be dismissed by the mayor and aldermen, and may be prosecuted according to law.

SEC. 14. No person shall be admitted as a member of a company for a less term than one year, except to fill a vacancy. No persons except members of the companies shall be permitted to assemble at the engine houses, without the permission of the mayor and aldermen.

SEC. 15. No engine shall be taken from the city, or used for other purposes than extinguishing fires, or for drill, without the permission of the mayor and aldermen.

SEC. 16. There shall be paid to each company semi-annually such compensation for services as the city council may annually determine, and such compensation shall be in full for all services at fires, for taking care of engines, carriages, apparatus and buildings, and all other expenses except oil for hose, and such necessary repairs as shall be made by order of the board of engineers to engines, carriages, apparatus and buildings.

SEC. 17. Each engine company shall consist of not less than forty, and the hook and ladder company of not less than twenty men. Should the number at any time become less, the chief engineer will forthwith notify the mayor and aldermen, and the pay allowed to any company thus reduced will immediately cease.
ORDINANCES.

CHAPTER VI.
ACCOUNTS, EXPENDITURES AND FINANCES.

SEC. 1. There shall be appointed annually a joint committee of finance, to consist of the mayor and one member of the board of aldermen, and three members of the common council; the duty of which committee shall be to negotiate all loans that may be made for the city, under the authority and sanction of the city council; and report the same in writing to the auditor, and to consider and report to the city council on all subjects relating to the finances of the city.

SEC. 2. There shall be appointed annually a joint committee, to consist of one member of the board of aldermen, and two members of the common council, which committee shall be styled the committee on accounts, and shall meet at least once in every month to audit, examine and decide upon all bills and claims that may be presented against the city.

SEC. 3. The auditor, under direction of the committee on accounts, shall keep a complete set of books, therein entering among other things, the various appropriations made by the city council, each under its appropriate head and charging to each the different expenditures and payments that from time to time shall be made therefrom. And in case any appropriation shall be exhausted, he shall give immediate notice of the fact in writing to the city council, to the person having charge of the appropriation, and to the committee on accounts. He shall open an account with the treasurer, charging him with the whole amount of taxes assessed for collection, and also with the amount of loans and sums of money that may be borrowed for the city, and all securities and sums receivable, in order that the value and description of all personal property belonging to the city, may be seen at any time in his books. On the first day of March, or as soon thereafter as may be, annually, he shall report to the council the receipts and expenditures of the past financial year, giving the details under their separate heads, and the names of the persons to whom, and the purposes for which, such expenditures
were made; furnishing also a schedule of all property belonging to the city, a schedule of all leases of city property, with the rates of rents, names of tenants, and date and termination of leases; and an exhibit of the loans or debts due from the city bearing interest, the rates of interest, and the times when payable; the whole to conform, as near as practicable, to the accounts of the city treasurer. He shall also cause all books, papers, vouchers and documents under his care belonging to the city, to be securely deposited and kept in some fire-proof safe, and shall deliver over to his successor all papers, books, documents and property belonging to said office. And he shall render such other services, and furnish such information respecting the accounts, finances and payments of the city, as either branch of the council, or any committee thereof, may from time to time require.

Sec. 4. The mayor is hereby authorized to draw on the treasurer for all compensation to city officers, at such times as may be fixed for their payment by the city council; also for the payment of any outstanding notes or interest due from the city, and for the payment of all accounts against the city which have been approved by the committee on accounts, and all orders so drawn shall specify the appropriation to which the same is chargeable.

Sec. 5. No bill nor claim against the city, other than judgments of the judicial courts, shall be allowed or passed by the committee on accounts, unless such bill or claim shall be approved or certified by some agent, officer or committee authorized on behalf of the city to make the contract, or cause the expenditure to be incurred; or unless such expenditure be expressly required by some specific vote of the council.

Sec. 6. No draft shall be drawn upon the treasurer against any particular fund, or chargeable to any particular head of appropriation, for more than the balance remaining to the credit of such fund or appropriation. And in case any fund or appropriation be exhausted, the committee on accounts are not to pass or vouch any bills,
payable from or chargeable to such fund or appropriation, until the means of paying the same be provided by the city council.

SEC. 7. The treasurer shall make up his account annually, on or before the tenth day of March, for the financial year ending on the last day of February preceding, and report the same to the city council. And said account shall be referred to, audited, examined and settled by the committee on accounts, who shall make a particular examination of all vouchers, charges and details, and report thereon to the council.

SEC. 8. All persons who may receive any money at any time, on behalf of the city, shall forthwith pay the same to the treasurer, except in cases otherwise specially provided for. All officers, receiving money for the city, shall, as often as once in three months, report to the auditor an account of their receipts in detail, except in cases otherwise specially provided for.

SEC. 9. The financial year shall begin on the first day of March, and end on the last day of the following February, including both days.

SEC. 10. The mayor, treasurer, collector, and all other officers of the city, shall, annually, on the last day of February, report to the auditor an account of all debts due the city.

CHAPTER VII.

TRUANTS AND ABSENTEES FROM SCHOOL.

SEC. 1. The City of Lewiston hereby adopts and avails itself of the provisions of sections twelve, thirteen and fourteen of chapter eleven of the Revised Statutes of Maine; and in virtue of the authority therein granted, it is further ordained:

SEC. 2. All children residing in said city between the ages of six and fifteen, being without any regular occupation, and growing up in ignorance, shall, unless
ORDINANCES.

there be some sufficient reason to the contrary, be re-
quired regularly to attend some public or private school.

Sec. 3. Every child between the ages of six and
fifteen, failing to comply with the provisions of the fore-
going section, and all children belonging to any public
school in the city, who shall be habitual truants there-
from, shall be liable to a fine of not more than five dollars
upon each and every conviction thereof. And for the
purpose of this ordinance all persons between the ages
aforesaid, belonging to any public school in the city,
who without sufficient excuse, shall be absent therefrom
six or more times in the course of any one school term,
shall be taken and deemed to be habitual truants.

Sec. 4. The city council shall, immediately after the
approval of this ordinance in the manner provided in
the aforesaid chapter eleven of the Revised Statutes,
and annually thereafter, appoint so many and such per-
sons as may be deemed proper, who shall be denomina-
ted truancy committee. Any person between the afore-
said ages of six and fifteen, belonging to any public
school in the city, who shall be found during school
hours, by the said truancy committee, or either of them,
in or near any street, square, public place, or place of
amusement or resort, without sufficient excuse for said
absence from school, shall in the first instance be appre-
hended by said committee, and taken to such school as
he may be entitled to attend, and notice given to the
parent, guardian or master of the person so taken; and
for every subsequent offending, he or they shall be dealt
with according to law and the provisions of this ordi-
nance.

Sec. 5. The judge, for the time being, of the munici-
pal court of the city of Lewiston, shall have sole and
exclusive jurisdiction of all acts, matters and things
arising under this ordinance, shall issue all precepts
necessary for the due enforcement hereof, and shall
hear, determine and pass judgment upon all cases aris-
ing under this ordinance, as to law and the best inter-
est of the schools shall appertain.
ORDINANCES.

SEC. 6. Instead of the fines provided in section three for violating the provisions of this ordinance, the said judge may order the offender to be placed, for such periods of time as he may deem expedient, in the reform school or other suitable situation provided for the purpose, under the authority conferred by chapter eleven, section twelve of the Revised Statutes.

SEC. 7. This ordinance shall take effect from and after its approval by the mayor and by the supreme judicial court, as provided by law.

CHAPTER VIII.
COMMONS AND PUBLIC SQUARES.

SEC. 1. The committee on public property shall have the care and custody of the commons and public squares of the city, subject to such ordinances as may from time to time be adopted by the city council; but no more money shall be expended on the same than is appropriated for that purpose by the city council.

SEC. 2. It shall be lawful for any constable or police officer to remove from the commons or any of the public squares, any person who is violating any law or ordinance, or is committing any nuisance, or is guilty of any disorderly conduct.

SEC. 3. No person shall ride, lead or drive any horse in or upon the open grounds of the city, nor in or upon any enclosed public square, unless by permission of the mayor or aldermen.

SEC. 4. No person shall climb, break, peel, cut, or in any way mutilate any of the trees growing, or which shall hereafter be planted on the commons, cemeteries, or in any street or public place of the city; nor shall any person deface any fence around the commons or public squares of the city by putting up bill boards, or posting up bills thereon, or in any other way.
ORDINANCES.

SEC. 5. No person shall in any manner carry or cause to be carried into the commons, or any public square or place of the city, any dead carcass, filth, or any offensive matter or substance whatsoever; and no person shall commit any nuisance on said commons, or public squares or places of the city.

SEC. 6. Any person who shall offend against any of the provisions of this chapter shall forfeit and pay for each offense a penalty not exceeding twenty dollars.

CHAPTER IX.

HEALTH.

SEC. 1. Every tenement in the city, used as a dwelling-house, shall be furnished, whenever practicable without excessive and unreasonable expense, with a sufficient drain under ground to carry off the waste water, and also with a privy, the vault of which shall be built in the manner prescribed in the fourth section of this chapter, and of sufficient capacity in proportion to the number of inhabitants of such tenement.

SEC. 2. When the mayor and aldermen shall be satisfied that any tenement, used as a dwelling-house, is not furnished with a sufficient drain, privy and vault, or either of them, they shall give notice in writing to the owner or his agent, requiring that a suitable drain, privy and vault, or either of them, be constructed within such time as they shall appoint, for the use of such tenement Provided, that notice to non-resident or unknown owners may be given by advertising in some public newspaper published in Lewiston. And in case such requisition be not complied with, the board shall cause such drain, privy and vault, or either of them, to be constructed, the expense of which shall be charged to such owner or agent.
ORDINANCES.

Sec. 3. Whenever the mayor and aldermen shall find that the number of persons occupying any tenement is so great as to be the cause of nuisance or sickness, or a source of filth; or whenever any tenement is not furnished with a suitably privy, vault and drain under ground, according to the provisions of the first and second sections of this chapter, the board may cause all or any persons occupying such tenement to be removed therefrom, first giving them notice in writing to remove, and allowing them the space of at least forty-eight hours in which to comply with said notice.

Sec. 4. Every vault or privy shall be so constructed that the inside of the same shall be at least two feet distant from the line of every adjoining lot, unless the owner of such lot shall consent and agree otherwise; and also two feet from every street, lane, passage-way or public place; and every vault shall be made tight, and its contents shall never be within two feet of the surface of the ground. And whenever any privy or vault shall become offensive, the same shall be cleansed. And in case the condition or construction of any vault or privy shall be different from the requirements of this section, the mayor and aldermen may cause the same to be cleansed, repaired, amended, altered or removed, as may be necessary, and shall charge all the expense incurred in so doing, to the owner, or party occupying, the estate in which such privy or vault may be: provided, they shall first notify such owner, or party occupying, in the manner provided in the second section of this chapter, and allow the space of at least forty-eight hours for such owner or occupant to comply with such notice.

Sec. 5. No privy or vault shall be opened in any other mode, nor at any other time, than such as the mayor and aldermen may direct, and no person shall remove the contents of any vault or privy, except in a water-tight cart or wagon, and no person conducting such cart or wagon shall cause or permit the same to stop, or stand in, or proceed through any of the streets, lanes or public places of the city, at any other time than during
ORDINANCES.

the night, between the hours of nine o'clock P. M., and four o'clock A. M.

Sec. 6. Whenever it shall appear to the mayor and aldermen that any cellar, lot or vacant land is in a state of nuisance, or so situated that it may probably become dangerous to the public health, they may cause the same to be drained, filled up, or otherwise prevented from becoming or remaining a cause of nuisance or sickness; and shall charge all reasonable expenses incurred in so doing, to the several owners, or parties occupying such cellar, lot or vacant land: provided, notice shall have been first given, and the space of forty-eight hours thereafter allowed, as provided in this second section of this chapter.

Sec. 7. No person shall deposit upon any highway or public place any waste or dirty water, or any animal, vegetable or offensive matter, or shall throw or cause to be thrown into any well, cistern, or fountain, any stones, bricks, or parts of bricks, dead animals, carrion, fish, offal, or any other substance.

Sec. 8. No person shall cast any dead animal substance into any street, nor into any of the canals or waters within or adjoining the city, nor cause any animal to be drowned in said canals or waters.

Sec. 9. All house-dirt, rubbish, filth and waste matter that may be collected in any house or warehouse, or on private property in the city, shall, if the city marshal, with the approbation of the mayor or aldermen, so order, be carried away therefrom by and at the expense of the owner or occupant of such house, warehouse, or other private property, and removed to such place as may be directed by the marshal as aforesaid, within twenty-four hours after such order. And the city marshal, when thereto ordered by the mayor and aldermen, shall, at any time between sunrise and sunset, enter into any building or other place in the city, for the purpose of examining into, destroying, removing or preventing any nuisance, source of filth or cause of sick-
ness therein. And in case such entrance be opposed, he shall make known such opposition to the mayor and aldermen, in order that a warrant may be obtained to enforce the same, as provided by law.

Sec. 10. Whenever any place or building shall become a nuisance by reason of offensive smells or exhalations proceeding from the same, or shall otherwise become hurtful or dangerous to the neighborhood or to travellers, the mayor and aldermen shall cause the occupant, owner, or agent to be notified to abate said nuisance, allowing said occupant, owner or agent forty-eight hours therefor, and in case said occupant, owner or agent shall neglect or refuse to abate said nuisance, he shall be fined not less than one nor more than ten dollars for every day he or they shall continue such nuisance after due notice as hereinbefore provided.

Sec. 11. It shall be the duty of the city marshal to keep an exact account of all costs, outlays and expenses that may be incurred in carrying into effect any of the purposes and provisions set forth or contained in the second, fourth, and sixth sections, of this chapter, and without delay to report the same to the auditor of accounts, with the names of the various persons to whom they may be chargeable, and the proportion or amount payable from each person. And the auditor shall examine, correct and charge the same in his books, and without delay make out bills therefor accordingly, and place said bills in the hands of the city treasurer for collection.

Sec. 12. Any person offending against any of the provisions of this chapter, shall forfeit and pay for each offence a penalty not exceeding twenty dollars unless otherwise provided for.
CHAPTER X.
STREETS AND ABUSES THEREIN.

SEC. 1. No person shall break or dig up the ground in any street, townway, highway or common and public passage way in the city, nor erect any staging or building thereon, or pile or deposit thereon any earth, bricks, lumber or other building material, without first obtaining a written license from the mayor and aldermen, and without faithfully complying with the conditions of such license.

SEC. 2. No person shall deposit, pile, or place or cause or permit to be deposited, piled or placed, upon any street, townway, highway or common and public passageway, any wood, coal, building material, dirt, rubbish or obstruction of any kind, not being licensed as mentioned in the first section of this chapter, without causing the same to be removed within five hours at most, and if notified by any city officer to remove the same, he is to cause the same to be removed forthwith.

SEC. 3. No person shall pile, deposit or place, or cause or permit to be deposited, piled or placed, any rubbish, wood, coal, merchandise, dirt, impediment or obstruction of any kind upon or over any sidewalk; nor so occupy or obstruct any sidewalk as to interfere with the convenient use of the same by all passengers.

SEC. 4. Whoever shall, for any purpose, break or dig up the ground in any highway, street, town-way or public and common passage way, shall, within such reasonable time as the mayor and aldermen shall order, amend and restore the same to the acceptance of said board. And if any person shall offend against this section, he shall forfeit and pay, in addition to the penalties herein after provided, a further sum not exceeding twenty dollars for each day after the expiration of said time till such amendment and restoration be made.

SEC. 5. In all cases in which license may be given by the mayor and aldermen for obstructing any highway, street, town-way or passage-way, as described in sec.
ORDINANCES.

Teams not to obstruct crossings and sidewalks, &c.

SEC. 6. No person shall stop with any team or carriage, or place any obstruction of any kind upon or across any flag or stepping stones, or other foot-way, placed or to be placed across any street, town-way, county-way or common passage-way in the city.

SEC. 7. No person shall ride or drive in any highway, street, town-way or public passage-way in the city in such a manner as to endanger or unreasonably incommode passengers.

SEC. 8. No person shall expose in any street or public place any table or device for the playing of any game of chance or skill, and no person shall play at the same, or at any unlawful game, in any street, town-way or public place.

SEC. 9. No person shall draw, propel or wheel any hand-cart, sled, wheelbarrow or other carriage, upon any sidewalk, except children's carriages drawn by hand.

SEC. 10. No person shall place or establish or maintain any awning or shade, before his or her place of business or dwelling-house, over any part of any street or sidewalk, unless the same be safely made, fixed, supported and maintained, so as in no wise to incommode passengers, and so that the lowest part of such awning or shade shall be at least eight feet in height above the sidewalk or street; and said awning or shade, if built over a sidewalk, shall extend over the outside edge thereof.

SEC. 11. The tenant, occupant, and in case there shall be no tenant, the owner, agent, or person having the care of any lot of land on which buildings are erected, bordering upon any public highway within the city, when there is any footway or sidewalk, shall, after the ceasing to fall of any snow, if in the day time within four hours, and if in the night time, before twelve
o'clock at noon succeeding, cause the same to be removed therefrom. And this provision shall be construed to extend to the removing of snow fallen from the roof of any building upon such foot-path or sidewalk. Such tenant, occupant, owner or agent, whenever ice shall have formed upon the footway or sidewalk as aforesaid, shall cause the same to be removed or otherwise rendered safe and convenient for foot passengers.

SEC. 12. No person shall play the game called coasting, in the streets or upon the sidewalks, or slide or course down hill therein, with hand-sleds or otherwise in any part of the city where the same shall endanger or incommode travellers.

SEC. 13. No person shall erect, set up, or maintain any portico, platform or doorstep extending into any street, townway or sidewalk. And all such obstructions shall be removed, on notice from the city Marshal: Provided, that this section shall not apply to any doorsteps that shall extend not more than one foot from the buildings to which they belong, into such street, townway or sidewalk.

SEC. 14. No person shall erect, construct, maintain or keep any cellar door, or passage-way into any cellar, or basement, or excavation of any kind, extending into, or occupying any part of any street, town-way, sidewalk, or public passage-way, unless such doorway, passage-way, or excavation, be kept covered with a suitable and substantial plank covering or grate, level with the sidewalk or street.

SEC. 15. No person shall drive any carriage, horse or team, upon or over any sidewalk or foot-path by the side of any highway, town-way, street or public passage-way, except for the purpose of crossing such sidewalk or footpath as nearly as may be at right angles, and in order to go into or out of some adjoining yard or enclosure.

SEC. 16. No person shall, within the limits of any public street or highway in the city, play at any game of ball, snow-ball, foot-ball, or any other game, amuse-
ment or exercise interfering with the convenient and free use of such street or highway by any persons travelling or passing along the same.

Sec. 17. No person shall, unless properly clothed, swim or bathe in any of the waters within or adjoining the city, so as to be exposed to the view of spectators from any street, lane or building.

Sec. 18. Three or more persons shall not stand together, or near each other, in any street in the city, in such manner as to obstruct a free passage therein for passengers.

Sec. 19. It shall be the duty of any constable, police officer or watchman of the city, to order any persons offending against the provisions of the preceding section, to move on, and if the persons so ordered or requested, do not forthwith obey, to remove them or to arrest and cause them to be brought before the justice of the municipal court of Lewiston, and a complaint to be made against them for offending against the provisions of the preceding section.

Sec. 20. No person shall remove any street dirt or manure that may collect in any street, lane or public passage way without authority from the mayor and aldermen, or some person authorized by them for that purpose.

Sec. 21. The prohibitions contained in the third section of this chapter shall not extend to any goods or articles of merchandise that may be exposed or exhibited for sale in front of any shop: provided, the said articles do not extend more than one foot from the building into or upon the sidewalk.

Sec. 22. No person shall erect, set up, or keep upon or in front of any building, store, shop, or place of business occupied by him, any sign, signboard or inscription, any part of which shall be less than eight feet in height above the sidewalk, street or highway. And no sign shall extend, be erected, or kept up beyond the outer edge of any side-walk or foot-path in the city: provided, however, that this section, with the consent of
the mayor and aldermen, shall not apply to signs erected or maintained by hotel keepers or innholders.

SEC. 23. No person shall place, sweep or deposit any dirt, saw dust, soot, ashes, cinders, shreds, shavings, hair, manure, oyster or lobster shells, or any animal or vegetable substance; or any rubbish, offal or filth of any kind, in or upon any public highway, street, sidewalk, court, passage-way or public place, without first obtaining a written license from the mayor and aldermen, or some one authorized by them, and without faithfully complying with the conditions of such license.

SEC. 24. No owner or person having the care of any sheep, swine, horses, mules, oxen, cows or other grazing animals, shall permit or suffer the same to go at large on any street, lane, alley, common, square, or other public place within the city. And no person shall fasten any horse, ox, cow or other animal, to any tree growing within the limits of any town-way or street in the city of Lewiston. All complaints for violation of this section shall be made to the city marshal, whose duty it shall be to forthwith collect any fine incurred as aforesaid, and in default of payment, to cause the owners of such animals to be prosecuted therefor.

SEC. 25. No person shall haul or remove any building through any street or highway within one mile of Central Hall, without permission from the mayor and aldermen, and without giving bond to the city for all damages sustained thereby, if so required. Nor shall permission or penalty exempt such persons from the payment of any damages occasioned thereby.

SEC. 26. Drivers and persons having the care of any truck, cart, wagon, sled, or other carriage of burthen, shall by having sufficient reins, or walking so near as to have constantly the control of the team, be at all times enabled to guide and restrain the same.

SEC. 27. No goods or other property shall be sold at auction, in any street, lane, or upon any side-walk or other public place within the city, without a permit from
ORDINANCES.

Sec. 28. No person shall deposit any body of ice or snow in any street, lane or public square in the city, or cause the same to be done, without causing the same to be broken into small pieces, and evenly spread upon such street, lane or public square.

Sec. 29. No person shall throw any stones, dirt, or other thing, against any dwelling house or other building, wantonly, or with intent to injure the same, or annoy and disturb any person who may be therein; and such person and every other person present and assisting or giving countenance to such offence, shall forfeit and pay such penalty as is hereinafter provided.

Sec. 30. No person shall ride upon or take hold of the back part of any carriage, sleigh, or other vehicle used for the conveyance of persons or property, while passing, without the consent of the owner or driver.

Sec. 31. No person shall in any street, lane or public place, wilfully or mischievously make any loud and unusual noises, by shouting, sounding horns, drums, or other implement or thing; or shall utter any obscene, indecent, or profane songs or words, or shall in any other unruly or boisterous manner disturb the peace, quiet and good order of the city.

Sec. 32. No person shall fire or discharge any gun or pistol from the top or window of any house or other building, or in any highway, public square, common or cemetery in the city.

Sec. 33. No person shall put up or stick up any play bill or other bill, or any advertisement or notice of any kind, on any public building, or any building, without the consent of the owner or occupant thereof.

Sec. 34. No person shall willfully or mischievously give, or cause to be given, a false alarm of fire.

Sec. 35. No carriage of any description shall be driven through any part of the city, during any time that snow or ice shall be upon or cover the streets, unless
ORDINANCES.

there shall be at least three bells attached to the horse or horses, or some part of the harness thereof.

SEC. 36. No person shall fire any squib, cracker, rocket, or other preparation whereof gunpowder or other combustible material is an ingredient, in or upon any street or highway, without the consent of the mayor and aldermen for such purpose.

SEC. 37. No person shall tear or make any alteration in any side-walk, or set up any posts or trees on any of the side-walks, or any part of the street, without the consent of the mayor and aldermen, or by some person by them duly authorized therefor.

SEC. 38. The owners of all buildings having slated or metal roofs, and situated upon any public street, are hereby required to place snow fenders upon the roofs next to the street, in such a manner as shall effectually protect persons and property from injury from snow and ice sliding from said roofs. Any persons neglecting to comply with the provisions of this section, shall forfeit and pay a penalty of five dollars for each week's neglect, after due notice by the city marshal.

SEC. 39. The city council shall have authority to give names to all streets and squares which may hereafter be laid out, and to change the name of any street or square when they see fit.

SEC. 40. Whenever the word "street" or "streets" is mentioned in these ordinances, it shall be understood as including highways, alleys, lanes, public squares and public places; and it shall also be understood as including the side-walks, unless the contrary is expressed, or such construction would be inconsistent with the manifest intent of the city council.

SEC. 41. Any person who shall offend against any of the provisions of this chapter, shall forfeit and pay for each offence a penalty not exceeding twenty dollars, unless otherwise provided for.
CHAPTER XI.
LAYING OUT, ALTERING AND WIDENING STREETS AND PRIVATE WAYS.

Sec. 1. Whenever application in writing is made to the city council to lay out, widen, or alter any street, square, highway, or private way, the city council may refer such application to the committee on highways, streets, bridges and sidewalks, and it shall be the duty of the committee to consider such application, and after giving notice as the law requires, shall proceed to examine the premises, and if in their judgment, common convenience and necessity require the laying out, widening or otherwise altering the same, in whole or in part, shall estimate the damage any individual or individuals may thereby sustain, and make report of their doings in writing to the city council as soon as may be after such service shall be performed, accompanied by an accurate survey and plan, giving the boundaries and admeasurements of such proposed laying out, widening or altering of street, square, highway or private way, and such report as aforesaid having been accepted and adopted by the city council, such street, square, highway or private way shall thereafter be established and known as a public street, square, highway or private way, and the boundaries and admeasurements thereof, so laid out, accepted and established by the city council, shall be duly recorded by the city clerk.

Sec. 2. If any damage shall be sustained by any persons by the discontinuing of any public or private way, the committee on highways, bridges and side-walks, when so required, shall report to the city council what compensation they should receive, and also whether the damage is occasioned by the discontinuance of a public or a private way.

Sec. 3. It shall be the duty of said committee to graduate the public streets whenever specially directed by the city council, and for that purpose, when needed, may employ at the expense of the city, suitable survey-
ors to aid them in that service; and they shall from time to time report their doings in writing to the city council, accompanied by such drawings or plans as may be necessary to explain the same. And if such report shall be accepted, and the graduation adopted by the city council, the making or repairing of said streets shall be done in conformity with such graduation.

CHAPTER XII.

SALE OF WOOD AND BARK.

SEC. 1. Persons driving or having the care of carriages or teams with firewood, bark, hay or other article for sale, shall occupy such places, under the general direction of the city marshal, as shall leave sufficient space for travellers along said streets or roads, and the streets and passage ways connected with or entering the same.

SEC. 2. No person or persons shall sell or offer for sale, in the city, any wood or bark, loaded upon a cart, sled, or other vehicle, without obtaining from some person duly appointed and sworn, a certificate of measurement of each load so offered for sale.

SEC. 3. Any person selling or offering to sell any firewood of a quality different from what is represented by such person selling or offering to sell, shall forfeit and pay for each load so offered or sold a penalty of not less than one nor more than five dollars.

SEC. 4. All firewood exposed for sale in this city, shall be closely packed, so that the measurer can satisfy himself of the contents beyond a reasonable doubt, due allowance being made for defective wood and bad stowage.

SEC. 5. It shall be the duty of each measurer of wood and bark, when requested, to measure accurately any wood or bark offered for sale, and to issue to the
ORDINANCES.

person having wood or bark in charge, a ticket under his signature, showing the quantity each load or lot contains, with the name of the person offering it for sale.

SEC. 6. The measurers of wood and bark shall receive for services rendered, five cents for each load or parcel on any vehicle, the fee to be paid by the seller and repaid by the purchaser.

SEC. 7. Each measurer shall keep an accurate record of all tickets issued by himself, in a book especially for that purpose, and shall annually in the month of March, report to the city council the amount of wood and bark measured by him, and the amount of fees received.

SEC. 8. Any person who shall refuse or neglect to comply with any of the duties required by this chapter, shall forfeit and pay for the use of the city, a sum not less than one nor more than twenty dollars, unless otherwise provided for.

CHAPTER XIII.

DRAINS AND SEWEERS.

SEC. 1. There shall annually be appointed, in the month of March or April, a joint committee of the city council, to be called the committee on drains and sewers, to consist of two members of the board of mayor and aldermen, and three members of the common council.

SEC. 2. The said committee shall have authority to locate and construct, by contract or otherwise, all public drains and sewers in any street or highway which the city council may deem necessary, and such drains and sewers shall be laid as near as possible in the centre of such street or highway, and shall be built of such materials and dimensions as the committee shall direct.

SEC. 3. An accurate account shall be kept of the expense of constructing and repairing each public sewer.
which shall be reported to the mayor and aldermen, together with a list of the persons and estates deriving benefit therefrom.

Sec. 4. All private drains which shall hereafter enter into any public sewer, shall be built of such materials as the mayor and aldermen shall direct and shall be laid under the direction of the mayor and aldermen, or by some person by them appointed; and they shall be laid in such direction, of such size, with such descent, and (when required) with such strainers as they shall require, and in such manner as they shall determine.

Sec. 5. No person shall let out or empty upon the surface of any street, lane, or alley, any cellar drain, sink drain, or other drain, so that the water shall flow therefrom on to the street, lane or alley, under a penalty of ten dollars for each offence, and the further penalty of ten dollars for each month such drain shall be so continued to be let out or emptied as aforesaid.

Sec. 6. It shall be lawful for all persons having care of any buildings, at their own expense, to carry the rain water from the roofs of said buildings, into any public sewer, free of charge from the city provided the same be done by tight water spouts or tubes underground, and under the direction of the mayor and aldermen.

CHAPTER XIV.

TAXES.

Sec. 1. There shall be allowed by the treasurer a discount on all taxes assessed after this date, in this city, in the following cases:

First—To such persons who shall pay their taxes within thirty days after the date of the assessment, a discount of five per cent. on the amount.

Second—To such persons as shall pay their taxes within sixty days, a discount of three per cent. on the amount.
ORDINANCES.

SEC. 2. On all taxes which shall remain unpaid, four months after the date of the assessment, interest shall be charged at the rate of six per cent. per annum, to commence sixty days after the date of the assessment.

CHAPTER XV.

DOGS.

SEC. 1. No dog shall be permitted to go at large or loose in any street, lane, alley, court or travelled way, or in any unenclosed or public place in this city, until the owner or keeper of such dog, or the head of the family or keeper of the house, where such dog is kept or harbored, shall have paid to the city marshal one dollar, for a tax or license for such dog to go at large.

SEC. 2. The city marshal shall grant a license to any citizen for his or her dog to run at large on the payment of the tax of one dollar, which license shall expire on the first day of May next after the same is given.

SEC. 3. The city marshal shall keep a record of all licenses so granted, with the numbers of the same; and he shall make a report to the board of aldermen, once in three months, of all moneys received and shall pay over the same to the city treasurer for the use of the city.

SEC. 4. Every license so granted shall be numbered, and the person named therein shall cause the same number to be legibly printed or engraved on a collar to be kept about the neck of the dog licensed. And no dog shall be considered as licensed unless the requisition contained in this section be complied with.

SEC. 5. It shall be the duty of the city marshal to cause all dogs to be destroyed which shall be found running at large within the city, without a collar as provided in these ordinances.
ORDINANCES.

SEC. 6. On complaint being made to the city marshal of any dog within the city which shall by barking, biting, howling or in any other manner disturb the quiet of any person or persons whomsoever, the marshal shall issue notice to the person owning, keeping or permitting such dog to be kept; and in case such person shall neglect to cause such dog to be forthwith removed beyond the limits of the city, or destroyed, he shall forfeit and pay one dollar for every day during which such neglect shall continue after such notice: provided, that the justice before whom the complaint respecting such dog shall be heard and tried, shall be satisfied that such dog had in a manner aforesaid disturbed the quiet of any person or persons in the said city. In case any dog shall be found going at large contrary to the foregoing provisions, the owner or keeper thereof, or the head of the house, store, shop, office, or other place where such dog is kept or harbored, shall forfeit and pay a sum not exceeding ten dollars.

SEC. 7. Whenever in the opinion of the mayor and aldermen, the public safety may require it, they may order that all dogs running at large in the city of Lewiston, shall be securely muzzled; and after notice of such order shall have been posted up at three or more public places in said city, and until such order is revoked, the owner of every dog which may be found running at large in violation of said order, shall be liable to a fine of not less than two nor more than ten dollars.

CHAPTER XVI.

JUNK DEALERS.

SEC. 1. The mayor and aldermen may license such persons as they may deem suitable, to be keepers of shops for the purchase, sale or barter of junk, old metals, or any second hand articles, and to be dealers therein, provided, nevertheless, that all licenses thus granted
shall contain a clause that the person thus licensed agrees to abide by, and be subject to all the provisions of this ordinance, and of any other ordinance which may be adopted by the city council, relating to shops licensed for the above purpose.

SEC. 2. No person licensed as aforesaid shall purchase junk, old metals, or any second hand articles of any minor or person under guardianship.

SEC. 3. All persons licensed as above, shall keep a book, and record therein all articles purchased, with the date of purchase, price paid, and the name and place of residence of the person of whom any such article is purchased, and shall also at all times keep all the articles thus purchased, while the same remain in his possession, in such convenient place as that they may be readily seen and examined.

SEC. 4. The book thus kept, and the articles thus purchased, shall at all times be subject to inspection and examination by the city marshal, or any other police officer of the city.

SEC. 5. Any person who shall violate any of the provisions of this chapter, shall incur a penalty not exceeding twenty dollars for each offence.

SEC. 6. The mayor and aldermen shall have power at all times to revoke any license granted under this ordinance, when, in their opinion, they have reason to believe that the person so licensed has violated any of its provisions.

CHAPTER XVII.
WARD MEETINGS.

SEC. 1. The form of warrants for calling meetings of the citizens of the several wards, shall be as follows, viz.:
ORDINANCES.

STATE OF MAINE.

CITY OF LEWISTON, ss.

To [name], one of the constables of the city of Lewiston,

GREETING:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of Ward No. [ward number], in said city of Lewiston, qualified according to law, to meet at [time] on [day] next, at [time] o'clock in the [noon] at [time], then and there to give in their votes for [office].

The polls will close at four o'clock in the afternoon.

You are also required to give notice to said inhabitants that the aldermen of said city will be in open session at their room in [location] on the three secular days next preceding the day of election, from [time] to [time], for the purpose of correcting the list of voters in and for the several wards, and for receiving evidence of the qualifications of voters whose names have not been entered on said lists.

Hereof fail not, and have you then there this warrant with your doings thereon.

Given under our hands and seal of the city of Lewiston this [date], in the year of our Lord one thousand eight hundred and sixty-

................................., Mayor.

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Aldermen of the City of Lewiston.

All warrants for calling ward meetings shall be served by the city marshal, or any constable of the city, and shall be returned to the wardens of the several wards, on or before the term of meeting therein named.

The service of warrants for ward meetings shall be made by posting up copies thereof in at least two public places in the ward mentioned in the warrant, seven...
days, at least, before the time of meeting mentioned therein, and the city clerk shall cause all notices of ward meetings to be published in at least one of the newspapers printed in the city, between the time of issuing the warrants and the time appointed for the meeting.

CHAPTER XVIII.

SUPERINTENDENT OF BURIALS AND BURIAL OF THE DEAD.

SEC. 1. All burials and interments of the bodies of deceased persons within the city, and removal of such bodies from the city, shall be under the direction of the superintendent of burials, whose duty it shall be, by himself, or by undertakers duly elected or appointed, to attend, manage and conduct in a proper manner, all funerals which shall take place in the city; to have the care and full control of the hearse or hearses, tools and fixtures and all public property belonging to the city of Lewiston, used in and around the public cemeteries or burying grounds; to cause the graves to be dug of sufficient depth and in exact ranges parallel with each other; and properly filled up; and also to record in a book to be kept by him for that purpose, the name, age and sex of each person buried, the family and place of residence to which the deceased belonged, the disease or cause of death, the time of burial, and the number of the grave or tomb (or other brief description) where buried or deposited, which record shall at the end of each year be deposited with the city clerk, who shall carefully preserve the same for the city.

SEC. 2. The superintendent of burials, shall, on application thereof, by any relation or friend of any deceased person, give license for the removal of such deceased person from the city, provided no sufficient cause shall appear for refusing the same, and no person, not a
funeral undertaker, duly appointed, shall bury or inter
the body of any deceased person within the city, and
no person shall remove any such body from the city,
without first obtaining a license so to do from the super­
intendent of burials, nor in violation of any reasonable
order or direction of said superintendent.

SEC. 3. Whenever any deceased person shall be re­
moved from the city, under license of said superinten­
dent, it shall be the duty of said superintendent to make
a record, in his book, of the name, age and sex of such
deceased person, the place of residence and family to
which the deceased belonged, the time when, the place
where, and disease of which said person died, the time
of such removal, the name and place of residence of the
person who made the same, and the place where such
deceased person was removed for interment.

SEC. 4. No remains of any deceased person shall be
removed from any grave or tomb in the city, without
the permission of said superintendent, whose duty it
shall be to attend himself, or cause a licensed undertaker
to attend all such removals.

SEC. 5. The mayor and aldermen may at their discre­
tion establish the fees to be paid for services at funerals,
for removing of remains of deceased persons or other
services of undertakers, which fee shall be in full for
such services.

SEC. 6. Any person who shall offend against any of
the provisions of this chapter, shall forfeit and pay a
sum not less than two nor more than twenty dollars, un­
less otherwise provided for.

CHAPTER XIX.

FIXING THE TIME WHEN THE CITY ORDINANCES SHALL TAKE
EFFECT, AND REPEALING PREVIOUS ORDINANCES.

SEC. 1. These ordinances, included in the several
chapters numbered from one to nineteen inclusive, shall
ORDINANCES.

take effect and be in force from and after the fifteenth day of August, A. D., 1863, and all ordinances which may hereafter be passed by the city council, shall take effect and be in force ten days from and after the publication thereof in some newspaper printed in the city, unless otherwise provided for.

Sec. 2. All by-laws of the town of Lewiston, in force when the city government went into operation, and all ordinances, and parts of ordinances, at any time herefore passed by the city council, and not found in this volume of ordinances numbered from one to nineteen inclusive, are repealed from and after the time when these ordinances shall take effect, saving and reserving all actions and proceedings already commenced by authority of the same.

CITY OF LEWISTON.

In Common Council, August 10, 1863.

These ordinances, including the several chapters numbered from one to nineteen, inclusive, having had two several readings, passed to be ordained.

Josiah G. Coburn, President.

In Board of Aldermen, August 10, 1863.

These ordinances, including the several chapters numbered from one to nineteen, inclusive, having had two several readings, passed to be ordained.

Jacob B. Ham, Mayor.

Approved.

August 10, 1863.

Jacob B. Ham, Mayor.
OF COUNTING VOTES.

Whether there is an election to any office, under the majority law, depends upon whether any person obtains a majority of the whole number of ballots cast for that office. Errors in regard to the whole number of ballots are very frequently made by ward officers, and they should be particularly careful in ascertaining it exactly, and recording it correctly. They should bear in mind that, although several ballots for different officers may be printed upon one ticket, the ballots for such office should be counted separately as much so as if they were printed on separate tickets and deposited in separate boxes.

For the offices of Governor, Senators, Mayor, Aldermen, Common Councilmen, Wardens and Clerks, a majority of all the votes thrown is necessary for an election.

For the offices of Representative to Congress, Representatives in the Legislature, County Treasurer, County Commissioner, Clerk of Courts, County Attorney, Register of Deeds, Municipal Judge, and electors of President and Vice President, the person or persons having the highest number of votes are elected.

When an office is to be filled by but one person, as Governor, Representative to Congress, Register of Deeds, County Treasurer, County Attorney, Clerk of Courts, Mayor, Alderman, Warden, Ward Clerk, the whole number of ballots may be ascertained correctly
after counting the votes for each candidate, by adding together all the votes cast for each candidate for the same office.

When the office is to be filled by more than one person, as Senators, Representatives, County Commissioners or Common Councilmen, the whole number of ballots for each of those officers should be counted separately. Every ballot having upon it one name or more for Senators should be counted as one ballot for Senators, and every ballot having upon it one or more name for Councilmen should be counted as one ballot for Councilmen, and so on through the whole list of offices to be filled.

The object of the law in ascertaining the whole number of ballots is to ascertain the whole number of voters who vote for each office, and therefore if a person votes for only one Senator when he might vote for four, on the same ballot, his vote is to be counted as a ballot in making up the whole number cast for that office. It represents a voter, and is a ballot.

But if a person votes for Senators only, that vote should not be counted in making up the whole number for Governor; or if a person votes for Mayor or Aldermen, that vote which is composed of two ballots should be counted as one ballot for Mayor, and one ballot for Alderman, but not as a ballot for Common Councilmen, as frequently happens where the tickets are taken as the ballots.

Ward officers must be careful and not call the whole number of tickets (where more than one office is to be voted on the same ticket) the whole number of ballots. The tickets taken as the whole number usually make it too large, and thereby deprive some candidates of their election, when in fact they receive a majority of the ballots cast for that office for which they are candidates.

OFFICE OF KEEPING WARD RECORDS.

It is the Clerk’s duty to copy the proceedings on to the ward book during the time of voting, and not copy at some convenient time afterwards.
INSTRUCTIONS TO WARD OFFICERS.

The warrant calling the meeting and the officer's return thereon should be first copied on the book and certified as true copies. The record should then proceed in this form, varied to meet the circumstances of the case:

Pursuant to the foregoing warrant, the inhabitants of Ward No. ——, qualified to vote as the law directs, assembled at the time and place and for the purposes therein expressed in said warrant.

At —— o'clock, A. M., the warrant calling the meeting was read by the Warden, who then called upon the inhabitants of said ward, qualified by law to vote, to give in their ballots for the purposes expressed in said warrant.

Proceeded to the choice of Warden.

The whole number of ballots for Warden was

 Necessary for a choice

A. B. had
C. D. had

A. B. was elected.

The oath of office was then administered to the Warden elect by —— ——, justice of the peace.

The same form may be used for the election of Clerk. A certified copy of the oath administered by the justice is to be recorded in the records at length.

C. D. and E. F. were chosen to assist the Warden in receiving, sorting and counting the votes. At four o'clock P. M. the polls were closed, and the whole number of ballots given having been sorted and counted by the Warden in the manner provided by law, the result was as follows:

The whole number of ballots for Governor was

E. H. had
K. L. had

The whole number of ballots for Senators was

L. R. had
T. Y. had

and so on through the whole list.
When the election is determined by each ward alone, as Aldermen, Councilmen, &c., the record should be made thus:

The whole number of ballots for Alderman was Necessary for a choice
A. B. had
C. D. had
A. B. is elected

and so on through the whole list.

The state of the ballots as sorted, counted and recorded above in open ward meeting, was declared to the meeting by the warden. The meeting then dissolved.

A true record, as made in the presence of the Warden, and in open ward meeting.


In case of no choice of such officers as are determined by each Ward, the Warden, by vote of the meeting, may adjourn the meeting from day to day, in accordance with the provisions of the city charter.

A copy of the record of votes, signed by the Warden and Clerk, should be delivered forthwith to the City Clerk. Within twenty-four hours after an election, the Clerk should send to each person elected as Alderman or Common Councilman, a certificate of his election.
### INDEX.

| ACT INCORPORATING the town of Lewiston, city of Lewiston | 3  
| ACTS AMENDING CITY CHARTER: |  
| In respect to jurisdiction of municipal court, | 20  
| In respect to fees of municipal court, | 20  
| By providing for the election of a police judge, | 20, 21  
| In relation to school district No. 2, | 21  
| In respect to powers of municipal court, | 22  
| ALDERMEN AND COMMON COUNCILMEN, number of | 6  
| term of office, | 6  
| compensation of, | 14  
| APPROPRIATIONS of money, | 7  
| APPOINTMENT of officers, | 9  
| ASSESSORS, appointment of, powers of, duties of, liabilities of, | 9, 31, 32  
| APPEAL, from judgment of municipal court, | 9  
| AGGRIEVED PERSONS, remedy of, | 11  
| ALDERMEN, election of, at large, oath of office, | 14, 17  
| ACCEPTANCE of city charter, | 16  
| ACCOUNTS, expenditures and finances, | 18  
| ASSISTANT MARSHALS AND POLICE, duties of, | 44, 45, 46  
| ACCOUNTS, committee on, | 30  
| AUDITOR, appointment of, duties of, | 44, 45, 52  
| APPROPRIATIONS, | 52  
| ABSENTEES, | 44  
| AWNINGS, | 46, 47  
| ABATEMENTS of taxes, | 54  
| ANIMALS at large, | 32  
| AUCTION SALES in street, | 57  

INDEX.

ANNUAL ELECTIONS, how conducted, 15
proceedings in, 15
case of no election, 15

ABSENCE of mayor, 16
of officers, 16

BOUNDARIES OF WARDS, 1, 2 and 3, 25
4, 5 and 6, 26
7, 27

BATHING, 56
BUILDINGS, removal of, 57
injuries of, 58
water from roof of, 63
wooden, regulations concerning, 18

BELLS attached to horses, 58
BOARD OF ENGINEERS, 40, 41
BONDS, 8
BOARD OF ALDERMEN, 6, 7, 14
record of proceedings, 16
BURIALS, 68, 69

CITY OF LEWISTON, act incorporating, 5
government of, how elected, 14
organization of, 16, 17
meetings of, 17
property, care of, 8
charter, when in force, 18
officers, appointment of, 7, 30, 31
term of office, 7, 8
removal of, 7, 8
vacancies, 31
physician, 33
solicitor, 33, 34
marshals and police, 35
appointment of, 14
powers and duties of, 14, 35, 36, 37, 38, 52
clerk, appointment and duties, 16, 38, 39
council, records of, 16

CLERK OF COUNCIL, 39
CHIEF ENGINEER, duties of, 16, 38, 39

COMBUSTIBLE MATTER, 40
CLAIMS AGAINST CITY, 45
COMMONS AND PUBLIC SQUARES, 48, 49
COASTING, 55
CELLAR DOORS, 55

DAMAGES AND GRIEVANCES, 9, 60
from posts and trees, 10
DEFECTS in highways, 36
INDEX.

DISORDERS, riots and unlawful practices, 36
DEFECTIVE CHIMNEYS, 41
DEBTS due city, 46
DRAINS, vaults, sewers, &c., 49, 62
construction of, 50
cleansing of, 50

DOGS, 64, 65
DUTIES of officers, 31 to 37

ELECTIONS, annual, of city, 15
new, " " 16
case of no election, 15
of city officers, 7, 21
of ward officers, 13, 71 to 74

ENGINEERS of fire department, 7
authority of, 7
duties of, 40, 41

EXPENDING MONEYS, 8
EXPENDITURES, 44, 45, 46
and receipts publishing accounts of, 8

FIRE DEPARTMENT, how constituted, 39
powers, 40
chief engineer, 40
board of engineers, 40, 41
qualifications of members, 41
number of members, 43
duties of members, 42
duties of foreman and clerks, 42
meetings for choice of officers, 42
monthly, 43
neglect of duty, 43
compensation, 43

FINANCES, 44, 45, 46
FINANCE COMMITTEE, 44
FUNDS, overdrawing on, 45
exhausted, 45
FINANCIAL YEAR, 46
FIREARMS, 58
FALSE ALARMS of fire, 58
FIRING of gunpowder or other combustible, 59

GOVERNMENT OF CITY, how constituted, 6
how elected, 14
organization of, 16, 17
meetings of, 17

HEALTH, 49 to 52
officers', 36
INDEX.

J

JUDGE OF MUNICIPAL COURT, 11
- election of, 17, 20, 21
- appointment, 11
- jurisdiction, 11, 47
- restrictions upon, 12
- salary of, 12
- disability, 12

JUNK DEALERS, 65, 66

L

LAWS and regulations of town to remain, 11
of State and city, 36, 37

M

MAYOR, election of, 14, 15
- oath of office, 16
- duties of, 6, 7
- powers vested in, 6, 7, 45
- vacancy in office of, 16
- absence of, 16

MUNICIPAL COURT, established, 11
- jurisdiction of, 11, 13, 20, 22
- time and place of holding, 11, 12
- judge of, 11
- absence or disability of judge, 12
- fees of, 12, 20
- fines and penalties, 12
- records of, 11
- appeal from, 11

MEETING to act on city charter, 24

MEETINGS of aldermen and councilmen in convention, 17
- ward, 14

MONEYS received on account of city, 8

MATERIALS in street, 10

MARSHAL, city, see City Marshal, 30

MARSHAL, assistant, and police, 30
- duties of, 35, 36, 37, 38, 52

N

NUISANCES, 49, 50, 52
- obstructions and defects in streets, 36

NOISES, obscenity and profaneness, 58

O

ORDINANCES, enacting style of, 29
- passage and approval of, 70
- when in effect, 69, 70
- repeal of, 70

OFFICERS OF CITY, see City Officers,
INDEX.

OVERSEERS OF POOR, 32, 33
OFFENSIVE MATTER, 51
OBSCENITY AND PROFANENESS, 58

POLICE, 35, 38
POWERS vested in mayor, aldermen and common councilmen, 7
POSTS and trees, 10
PRESIDING OFFICERS OF BOARDS IN CONVENTION, 17
power of, 17
PRIVIES and vaults, 49, 50
POSTING BILLS, 58

QUORUM of board of aldermen, 16
councilmen, 16

REMOVAL of officers, 7, 8
RECEIPTS and expenditures to be published, 8
RECORD of proceedings of board of aldermen, 16
councilmen, 16
RIOTS, disorders and unlawful practices, 36
RECEIPT of money for city, 46
RUBBISII, &c., 51, 57
RULES and ordinances of city, 36, 37

SEAL of city established, 30
SCHOOL DISTRICTS, powers of, vested in mayor, aldermen and common councilmen, 18
district No. 2, 21
committee, duties of, 32
SPECIAL MEETINGS, 6
STREETS, definition of,
and ways, laying out, 9, 60
damage by, 9, 60
or discontinuance, 9, 60
applications to lay out, 60
naming of, 59
commissioner, 34, 35
abuses therein, 53
obstructions in, 53, 56
license given, 53
teams and carriages in, 54
fast driving in, 54
coasting in, 55
INDEX.

STREETS, gaming in, 54, 55, 56
awnings, 54
signs, 56
snow, ice, &c., 54, 58
dirt and manure, 56
penalties for abuses in, 53, 59

SIDEWALKS, 9, 10, 54, 55, 59
SIGNS, &c., 56
STEPS and porticos, 55
SNOW FENDERS on roofs, 59
SNOW and ice, 54, 58
STATE and city laws, 36, 37
SICKNESS, 50

T
TAXES, 63, 64
TEAMS, drivers of, 57
TOWN OF LEWISTON, act incorporating, 3
TREES, &c., 48, 57
TREASURER, appointment of, 30
duties of, 44, 46
TRUANTS and absentees from school, 46, 47

U
UNDERTAKERS, 68, 69

V
VACANCY, in office of mayor, 16
city officers, 31
VACCINATION, 32, 33
VOTERS, lists of, 14

W
WARDS, division and regulations of, 13, 17
number of, 14
alterations in, 13
boundaries of, 25, 26, 27
WARD OFFICERS, choice of, 13
instructions of, 71 to 74
powers and duties of, 13, 14
meetings, 14, 66, 67
WATCH, captain of, 37
WOOD AND BARK, regulations for sale of, 18, 61
WOODEN BUILDINGS, regulations concerning, 18
MUNICIPAL REGISTER,

CONTAINING THE

RULES AND ORDERS

OF THE

CITY COUNCIL,

AND A LIST OF THE

OFFICERS OF THE CITY OF LEWISTON;

With the Address of the Mayor at the Organization of the City Government.

LEWISTON:

PRINTED AT THE JOURNAL OFFICE, LISBON STREET.

1863.
CITY OF LEWISTON.

Ordered, That the Committee on Printing be instructed to procure the printing (in one book) of two hundred and fifty copies of the Joint Rules and Orders of the City Council, Rules and Orders of the Board of Mayor and Aldermen, the Rules and Orders of the Common Council; together with a register of the members of the City Council and committees thereof, and all officers of the city, with the Address of the Mayor at the organization of the city government.

IN COMMON COUNCIL, June 8, 1863.
Read and passed. Sent up for concurrence.
S. H. GARCELON, Clerk.

Passed in concurrence.

IN BOARD OF ALDERMEN, June 15, 1863.
E. P. TOBIE, City Clerk.
RULES AND ORDERS
OF THE
BOARD OF ALDERMEN.

SEC. 1. The mayor, or in his absence the president pro tempore, shall take the chair precisely at the hour appointed. In the absence of the mayor and the president pro tempore, the city clerk shall call the meeting to order, and choose a presiding officer for the time being, by a nomination and a vote of the board.

SEC. 2. The journal of the previous meeting shall be read.

SEC. 3. Petitions shall next be called for and disposed of by reference or otherwise, and also new business may be introduced by any member of the board.

SEC. 4. Such nominations, appointments and elections, as may be in order, and unfinished business of the previous meeting, shall be considered and disposed of.

SEC. 5. The yeas and nays shall be taken on demand of any two members.

SEC. 6. A motion to adjourn shall always be in order, and shall be decided without debate.

SEC. 7. The mayor or other presiding officer shall preserve order and decorum, and may speak on points of order in preference to members on the floor. He shall decide all questions of order, subject to an appeal by any member.
SEC. 8. The previous question shall be in this form: "Shall the main question be now put?" it shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the board to a direct vote.

SEC. 9. When a question is under debate no motion shall be received, but:
1st. To adjourn.
2d. To lie on the table.
3d. For the previous question.
4th. To postpone to a day certain.
5th. To commit.
6th. To amend.
7th. To postpone indefinitely.

SEC. 10. Every motion shall be reduced to writing, if the chair or any member demand it.

SEC. 11. Any vote of this board may, on motion of a member voting in the majority, be reconsidered either at the same or next succeeding meeting, provided the same shall not have been concurred in by the other board. And if the motion to reconsider shall prevail, the subject shall be open to debate and amendment in the same manner as an original question, but a motion to reconsider shall only be once in order in the same state of the question.

SEC. 12. Every member present at the taking of any question, shall give his vote, unless excused by the board for special reasons.

SEC. 13. No member shall absent himself from any meetings of the board, except for good and sufficient reasons.

SEC. 14. All ordinances shall have two several readings before they shall pass to be engrossed, and shall be reported by the committee on engrossed ordinances, to be correctly and truly engrossed, before they shall pass to be ordained, and all orders or resolves which authorize the expenditure of money for objects other than those named in the annual appropriations, or which im-
poses penalties, shall have two readings on different days.

Sec. 15. Standing committees shall be appointed as follows:

1st. On police.
2d. On elections.
3d. On licenses.

The first committee to consist of the mayor and two aldermen. Each of the others of three aldermen.

Sec. 16. All committees shall be appointed and announced by the mayor, unless the board shall determine otherwise.

Sec. 17. It shall be the duty of the chairman of each committee to notify the members of all meetings, and no committee shall act by separate consultation, and no report shall be received, unless agreed to in committee actually assembled, and signed by a majority of said committee, except such as may be offered as a minority report.

Sec. 18. The above rules and orders of business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present for special purposes.
JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

Sec. 1. At the commencement of the municipal year, the following joint standing committees shall be appointed, viz.:

A committee on Finance, to consist of the mayor, one aldermen, the president and two members of the common council.

A committee on Accounts, to consist of one alderman and two members of the common council.

A committee on Public Property, to consist of two aldermen and three members of the common council.

A committee on Highways, Streets, Sidewalks and Bridges, to consist of the mayor, one alderman and three members of the common council.

A committee on Drains and Sewers, to consist of two aldermen and three members of the common council.

A committee on the Fire Department, to consist of two aldermen and three members of the common council.

A committee on Schools and School Houses, to consist of two aldermen and three members of the common council.

A committee on Engrossed Bills and Ordinances, to consist of two aldermen and three members of the common council.
A committee on Printing, to consist of one alderman and two members of the common council.

In case of disagreement between the two boards, a committee of Conference shall be appointed at the request of either.

Sec. 2. When either board shall non-concur in the doings of the other, notice thereof shall be given in writing.

Sec. 3. Either board may propose to the other a time to which both boards shall adjourn, and neither board shall adjourn without notifying the other.

Sec. 4. All by-laws passed by the city council shall be termed ordinances, and the enacting style thereof shall be: "Be it ordained by the mayor, aldermen and common council of the city of Lewiston as follows"; and in all votes when either or both branches of the city council express anything by way of command, the form of expression shall be, "Ordered"; and whenever either or both branches express opinions, principles, facts or purposes, the form shall be, "Resolved."

Sec. 5. Each board shall transmit to the other, all papers on which joint action may be necessary, and when either board shall non-concur with the action of the other respecting any ordinance or resolution, notice of such non-concurrence shall be given by endorsement on such paper.

All papers on their passage between the boards shall be under the signature of their respective clerks, except ordinances and joint resolutions in the last stage, which shall be signed by the presiding officers.

Sec. 6. All ordinances, orders and resolutions shall have two several readings before they are finally passed, and no order or resolution imposing penalties or authorizing the expenditure of money, whether appropriated or not, and no order or resolution authorizing a loan, shall have more than one reading on the same day.

Sec. 7. No ordinance or resolution shall pass to be engrossed without being twice read, and all ordinances and resolutions after the same shall have been engrossed,
shall be committed to the committee on engrossed bills, whose duty it shall be to examine the same, and to see that the same have been truly engrossed; and before any ordinance shall pass to be ordained or any resolves be finally passed, it shall be reported by the committee on engrossed bills to be truly and correctly engrossed, and the title thereof read by the presiding officers.

SEC. 8. All engrossed ordinances shall be written in a fair and compact hand without interlinations, and no engrossed ordinances or resolutions shall be amended.

SEC. 9. The reports of all committees signed by a majority of the members shall be made to the board in which the business originated.

SEC. 10. The mayor shall be ex-officio, chairman of any joint committee of which he is a member.

SEC. 11. No committee shall act by separate consultation, and no report shall be received unless agreed to in committee actually assembled, and signed by a majority of the committee.

SEC. 12. No committee shall enter into any contract with, or purchase, or authorize the purchase of any article of any of its members.

SEC. 13. After the annual order of appropriations shall have been passed, no subsequent expenditures shall be authorized for any purpose, unless provisions for the same shall be made by special transfer from some of the appropriations contained in such annual order, or by expressly creating therefor a city debt.

No transfer from any appropriations shall be made, and no city debt shall at any time be created, unless the order authorizing the same shall pass by a vote of two-thirds of the whole number of each branch of the city council, voting by yeas and nays.

SEC. 14. In all contracts or expenditures to be made under the authority of the city council, whenever the estimates shall exceed the appropriations specially made therefor, or whenever any committee or officer shall have expended the sum specially appropriated for their use in the order of their appropriation for the year, and in
either case shall require a further sum, it shall be the
duty of such committee or officer having such matter
in charge to submit the same to the city council for in-
structions, before such contract is made, or any farther
expenditure for the object is incurred.

Sec. 15. It shall be the duty of every joint standing
committee to whom any subject may be referred, to re-
port within four weeks or ask for further time.

Sec. 16. No chairman of any committee shall audit
or approve any bill or account against the city for any
supplies or services, which shall not have been ordered
or authorized by the committee.

Sec. 17. No business shall be transacted by the city
council in convention, except such as shall have been
previously agreed upon, unless by unanimous consent.
DUTIES AND POWERS OF THE PRESIDENT.

Sec. 1. The president shall take the chair precisely at the hour to which the council shall have adjourned; he shall call the members to order and on the appearance of a quorum proceed to business.

Sec. 2. He shall preserve order and decorum; may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the council, on motion of any member regularly seconded.

Sec. 3. He shall declare all votes; but if a vote be doubted, the president shall, without further debate, require the members voting in the affirmative and negative to rise and stand until they are counted, and he shall declare the result.

Sec. 4. He shall rise to address the council, to state facts, or to put a question, but may read sitting.

Sec. 5. He may call any member to the chair, who may preside for one meeting. When the council shall decide to go into committee of the whole the president may appoint a chairman. The president may only express his opinion on any subject under debate by leaving the chair and appointing a member to take it; and in
such case he shall not resume the chair while the question is pending, provided the same be taken previous to adjournment; but the president may state facts and give his opinion on questions of order without leaving his place.

Sec. 6. He shall take any question by yeas and nays when required by any two members present.

Sec. 7. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and in fixing times, the largest sum and longest time shall be put first.

Sec. 8. He shall nominate all committees unless otherwise provided for or especially directed by the council.

Sec. 9. After a motion is stated or read by the president, it shall be deemed to be in possession of the council and shall be disposed of by vote, but the mover may withdraw it at any time before a decision or amendment.

Sec. 10. When a question is under debate no motion shall be received, except:

1st. To adjourn.
2d. To lay on the table.
3d. For the previous question.
4th. To postpone to a certain day.
5th. To commit.
6th. To amend.
7th. To postpone indefinitely.

which several motions shall have precedence in the order in which they are arranged; and no motion to postpone or commit shall be allowed twice in the same day, in the same stage of the ordinance or proposition.

Sec. 11. The motion to adjourn, to lay on or take from the table, for the previous question, and for yeas and nays, shall be decided without debate.

Sec. 12. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members.
present, and until it is decided shall preclude all amendments and further debate of the main question.

RIGHTS AND DUTIES OF MEMBERS.

Sec. 13. In the absence of the president the senior member present shall call the council to order and preside until a president pro tempore shall be chosen by ballot.

Sec. 14. Order of business:
1st. Reading the records.
2d. Papers from the board of mayor and aldermen.
3d. Unfinished business of preceding meetings.
4th. Communications and reports from city officers, presentation of petitions, remonstrances and memorials.
5th. Reports of committees.
6th. Motions, orders or resolutions.

And the above order shall not be departed from but by a vote of a majority of the council present.

Sec. 15. When any member is about to speak in debate, or deliver any matter to the council, he shall rise in his place and respectfully address the presiding officer, confining himself to the question under debate and avoiding personality.

Sec. 16. No member shall speak more than twice on one question without first obtaining leave of the council; nor more than once until the other members who have not spoken shall speak, if they desire it.

Sec. 17. No member shall call another member by name in debate, but may allude to him by any intelligible or respectful designation.

Sec. 18. No member speaking shall be interrupted by another, but by a call to order or to correct a mistake. If any member in speaking, or otherwise, transgress the rules of the council, the president shall, or any member may call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the council if appealed to, shall decide on the case without debate. If the decision be in favor of the member so called to order, he shall be at
liberty to proceed, if otherwise, he shall not proceed without leave of the council.

Sec. 19. When a vote has passed, it shall be in order for any member voting with the majority to move a reconsideration thereof at the same or the succeeding meeting, but not afterwards, except on papers returned from the mayor; if made at the same meeting, a majority of the members present may pass a vote of reconsideration, but if not made until the succeeding meeting, the subject shall not be reconsidered unless a majority of the whole council shall vote therefor, and when a motion for reconsideration is decided, that vote shall not be reconsidered.

Sec. 20. Every motion shall be reduced to writing if the president shall so direct, or any member of the council request it.

Sec. 21. No member shall stand up to the interruption of another while any member is speaking, nor pass unnecessarily between the chair and person speaking; nor shall any member withdraw from the council room unless there be a quorum left at the board.

The members of the council shall not leave their places on an adjournment, until the president shall declare the council adjourned.

Sec. 22. Every member who shall be present when a question is put shall give his vote, unless the council for special reasons shall excuse him; application to be so excused must be made before the council is divided, or before the calling of the yeas and nays, and such application shall be decided without debate.

Sec. 23. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

Sec. 24. A motion for commitment until it is decided shall preclude all amendments of the main question.

Sec. 25. The seats of the common council shall be numbered, and determined by lot, and no member shall change his seat except by permission of the president.
Sec. 26. All papers addressed to the council shall be presented by the president or a member in his place, and endorsed with the name of the member presenting it, and shall be read by the president, clerk or such other person as the president may request; and shall be taken up in the order in which they are presented, except when the council shall otherwise determine: Provided that the reading of petitions, memorials, remonstrances, and papers of a like nature may be dispensed with unless specially ordered by the council.

Sec. 27. All ordinances and resolutions shall have two several readings before they shall be finally passed by this council.

Sec. 28. No ordinance or resolution imposing penalties or authorizing the expenditure of money shall have more than one reading on the same day.

Sec. 29. All committees shall consist of three members, unless otherwise ordered, and no committee shall sit during the session of the board without special leave.

Sec. 30. It shall be the duty of the chairman of each committee to notify the members of all meetings, and no committee shall act by separate consultation, and no report shall be received unless agreed to in committee actually assembled, and signed by a majority of said committee.

Sec. 31. It shall be the duty of every committee of the council to whom any subject may be specially referred, to report thereon within two weeks or at the next meeting of the council, or ask for further time.

Sec. 32. The rules of proceeding in the council shall be observed in committee of the whole so far as they are applicable, but no member shall speak twice upon any question until every member choosing to speak has spoken. A motion to rise, report progress and ask leave to sit again, shall be first in order, and shall be decided without debate.
Sec. 33. Standing committees shall be appointed on
the following subjects:
On elections and returns.
On contingent expenses of common council.

DUTIES OF THE CLERK, &c.

Sec. 34. The clerk shall keep brief minutes of the
votes and proceedings of the council, entering thereon
all accepted resolutions; shall notice reports and memo­
rials, and other papers submitted to the board, only by
their titles or a brief description of their purport, and
shall draw up and carry to the board of mayor and alder­
men all messages, unless the council shall otherwise di­
rect.

Sec. 35. No rule or order of the council shall be
dispensed with unless two-thirds of the members pres­
ent consent thereto, nor shall any rule or order be alter­
ed or repealed without notice in writing being given
at the preceding meeting, nor unless a majority of all
the members of the council vote therefor.
GOVERNMENT

OF THE

CITY OF LEWISTON,

1863.

MAYOR,

JACOB B. HAM.

ALDERMEN,

STEPHEN I. ABBOTT.
DAVID M. AYER.
EDWARD CLARK.
MARSHALL FRENCH.
ABIAL M. JONES.
SAMUEL W. KILVERT.
THOMAS D. THORN.

CITY CLERK.

EDWARD P. TOBIE.
COMMON COUNCIL.

JOSIAH G. COBURN, President.

Rhodes A. Budlong,                  Cyrus Greely,
George A. Clark,                    Converse J. Pettingill,
Jeremiah Crowley, Jr.,              George H. Pilsbury,
Ezekiel S. Davis,                   Jordan K. Piper,
Hersey Day,                        John Y. Scruton,
Joseph S. Garcelon,                 William H. Stevens.
William F. Garcelon,                James Wood.

CLERK OF COMMON COUNCIL.

SAMUEL H. GARCELON.
COMMITTEES OF THE CITY COUNCIL.

---

JOINT STANDING COMMITTEES.

---

ON ACCOUNTS.

Marshall French.  |  Geo. H. Pilsbury,
                  |  William F. Garcelon.

DRAINS AND SEWERS.

David M. Ayer, Marshall French.  |  Jordan K. Piper,
                                  |  Hersey Day,
                                  |  Cyrus Greely.

ENBROSSED BILLS AND ORDINANCES.

Abial M. Jones, Stephen I. Abbott.  |  Rhodes A. Budlong,
                                  |  John Y. Scruton,
                                  |  William H. Stevens.

FINANCE.

Aldermen.  |  Josiah G. Coburn,
David M. Ayer.  |  George H. Pilsbury,
                  |  George A. Clark.
FIRE DEPARTMENT.

Aldermen.
Stephen I. Abbott,  
Samuel W. Kilvert.

Common Council.
William H. Stevens,  
John Y. Scruton,  
Hersey Day.

HIGHWAYS, STREETS, SIDEWALKS AND BRIDGES.

The Mayor.

Aldermen.
Edward Clark.

Common Council.
George A. Clark,  
Converse J. Pettingill.  
James Wood.

PRINTING.

Aldermen.
Edward Clark.

Common Council.
William F. Garcelon,  
Converse J. Pettingill.

PUBLIC PROPERTY.

Aldermen.
Samuel W. Kilvert,  
Abial M. Jones.

Common Council.
Ezekiel S. Davis,  
Jordan K. Piper,  
Joseph S. Garcelon.

SCHOOLS AND SCHOOL HOUSES.

Aldermen.
Thomas D. Thorn,  
David M. Ayer.

Common Council.
Ezekiel S. Davis,  
Cyrus Greely,  
Jeremiah Crowley, Jr.
JOINT SPECIAL COMMITTEES.

TO PROCURE ROOMS FOR THE MEETINGS OF THE CITY GOVERNMENT.

Aldermen.
Samuel W. Kilvert,
Stephen I. Abbott,
Edward Clark.

Common Council.
Ezekiel S. Davis,
James Wood,
Josiah G. Coburn,
William H. Stevens.

TO PROCURE BOOKS AND STATIONERY.

Aldermen.
Abial M. Jones.

Common Council.
Geo. H. Pilsbury,
James Wood.

RULES AND ORDERS.

Aldermen.
Marshall French.

Common Council.
George A. Clark,
Geo. H. Pilsbury.

ORDINANCES.

The Mayor.
Josiah G. Coburn,
William H. Stevens.
COMMITTEES OF BOARD OF MAYOR AND ALDERMEN.

STANDING COMMITTEES.

POLICE.
The Mayor, Marshall French, David M. Ayer.

ELECTIONS.
Edward Clark, Samuel W. Kilvert, Marshall French.

LICENSES.
SPECIAL COMMITTEES.

RULES AND ORDERS.

FURNITURE.

CENSUS AND DIVISION OF CITY INTO WARDS.
Thomas D. Thorn, David M. Ayer, Abial M. Jones.

APPLICATIONS FOR AID TO SOLDIERS' FAMILIES.
Abial M. Jones, Thomas D. Thorn, Samuel W. Kilvert.

TO PROCURE OUTLINE MAP OF CITY.
David M. Ayer, Abial M. Jones.

TO ENROLL SOLDIERS AND PREPARE LIST OF VOTERS.
Abial M. Jones, Thomas D. Thorn.
COMMITTEES OF THE COMMON COUNCIL.

STANDING COMMITTEES.

CONTINGENT EXPENSES.
Rhodes A. Budlong, Ezekiel S. Davis, George A. Clark.

ELECTIONS AND RETURNS.
George H. Pillsbury, James Wood, Jeremiah Crowley, Jr.

ENGROSSED BILLS AND ORDINANCES.
Rhodes A. Budlong, John Y. Scruton, William H. Stevens.

SPECIAL COMMITTEES.

FURNITURE.
George A. Clark, Cyrus Greely, Ezekiel S. Davis, Josiah G. Coburn.

RULES AND ORDERS.
CITY OFFICERS.

JUDGE OF THE MUNICIPAL COURT.

John Smith. Chosen by the citizens in March, 1863, to serve for four years.

CITY OFFICERS CHOSEN BY THE CITY COUNCIL IN MARCH.

AUDITOR OF ACCOUNTS.

John W. Danielson.

ASSESSORS.

Abial M. Jones, James Weymouth, David Farrar.

CITY CLERK.

Edward P. Tobie.

CITY PHYSICIAN

Pearl Martin.

CITY SOLICITOR.

William P. Frye.

CONSTABLES.


CULLER OF STAVES

Archibald Wakefield.
FIRE DEPARTMENT.

CHIEF ENGINEER.
William R. Ham.

ASSISTANT ENGINEERS.
Albert B. Neally, Stephen I. Abbott,
Rishworth Jordan, Daniel Holland.

FENCE VIEWERS.
Charles E. Garcelon, Benj. H. Thorn, Dan Whittum.

MEASURERS OF WOOD AND BARK.
Ezekiel S. Davis, Samuel Haley,
John Read, Hosea Fuller,
Andrew Hall, Lewis Ware,
Stephen I. Abbott, Charles Leland,
Thomas D. Thorn.

OVERSEEERS OF POOR.
Abial M. Jones, Hersey Day, Joseph K. Blanchard.

POUND KEEPER.
James Clark.

SEALER OF WEIGHTS AND MEASURES.
Horace T. Robbins.

SEALER OF LEATHER.
Daniel Holland.

SUPERINTENDENT OF BURIALS.
Theophilus B. Thompson.

SEXTONS.
Andrew J. Bean, David Rowe,
Daniel Garcelon, Phineas Wright,
Josiah S. Clough, Chester Read,
Bart C. Taylor, Jeremiah Lowell.

STREET COMMISSIONER.
Plummer C. Tarbox.
SUPERINTENDING SCHOOL COMMITTEE,

SURVEYORS OF LUMBER.
Ezekiel S. Davis, John N. Small, Alfred P. Conant,
Christopher Gatchell, Samuel Haley, Seth Chandler,
Andrew Hall.

TREASURER AND COLLECTOR.
David Farrar.

TRUANCY COMMITTEE.

TYTHING MEN.
Albert B. Neally, John B. Garcelon, Charles H. Nevens, Charles H. Baker,
CITY OFFICERS APPOINTED BY THE MAYOR AND ALDERMEN.

CITY MARSHAL.
Isaac N. Parker.

LIQUOR AGENT.
George W. Garcelon.

POLICEMEN.

NIGHT WATCHMEN.

WARD OFFICERS—1863.

WARDEN.

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<tr>
<th>Ward</th>
<th>Warden</th>
<th>Clerk</th>
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<td>1</td>
<td>Thomas D. Thorn</td>
<td>John C. White</td>
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<tr>
<td>&quot;</td>
<td>2—Alpheus C. Locke</td>
<td>R. C. Pingree</td>
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<td>3—Mark Lowell</td>
<td>Rishworth Jordan</td>
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<td>4—A. K. P. Knowlton</td>
<td>Foster Randall</td>
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<td>5—E. S. Davis</td>
<td>John W. Danielson</td>
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<td>6—L. L. Shaw</td>
<td>R. C. Pennell</td>
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<td>&quot;</td>
<td>7—Ebenezer Ham</td>
<td>Isaac N. Parker</td>
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STATISTICS OF LEWISTON.

POPULATION.

1830—1549.  1850—4584.  1860—7424.
1840—1801.  1856—5873.  1863—8761.

POPULATION OF THE SEVERAL WARDS

"  3—1356.

VOTE FOR GOVERNOR—1862.


Valuation in 1860, $3,864,616.
Number of Taxable Polls, 1467.
Rate of taxation on $1, 1 cent.

POPULATION OF THE CITIES OF MAINE, 1863.

Belfast, 7,317.

POPULATION OF THE STATE OF MAINE AND OF THE UNITED STATES,

According to the eight censuses from 1700 to 1860:

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<tr>
<th>Year</th>
<th>Maine</th>
<th>United States</th>
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<tr>
<td>1790</td>
<td>96,540</td>
<td>3,296,897</td>
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<td>1800</td>
<td>151,719</td>
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<td>288,705</td>
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<td>1860</td>
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<td>31,429,891</td>
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OFFICERS OF THE TOWN OF LEWISTON FROM 1795 TO 1863.

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<th>YEAR</th>
<th>MODERATOR</th>
<th>TOWN CLERK</th>
<th>SELECTMEN</th>
<th>TREASURER</th>
<th>COLLECTOR</th>
<th>REP. TO LEG.</th>
<th>MONEY RAISED</th>
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<tr>
<td>1795</td>
<td>John Herrick</td>
<td>Noah Litchfield</td>
<td>John Herrick, Joel Thompson, Winslow Ames, James Garcelon, Daniel Davis</td>
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<td>Nathan Outler</td>
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<td>$750</td>
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<td>1796</td>
<td>Joel Thompson</td>
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<td>Abner Harris</td>
<td>Daniel Garcelon</td>
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<td>100</td>
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<td>1797</td>
<td>Daniel Davis</td>
<td>Noah Litchfield</td>
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<td>Abner Harris</td>
<td>Jacob Barker</td>
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<td>1798</td>
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<td>Abner Harris</td>
<td>James Ames</td>
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<td>1799</td>
<td>John Herrick</td>
<td>Noah Litchfield</td>
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<td>James Ames</td>
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<td>1800</td>
<td>Dan Read</td>
<td>Noah Litchfield</td>
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<td>James Ames</td>
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<td>1801</td>
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<td>Dan Reed</td>
<td>Dan Read, Oliver Barron, Joel Thompson, Winslow Ames,</td>
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<td>James Ames</td>
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<td>Winslow Ames, Noah Litchfield, Ezra Randall,</td>
<td>Daniel Davis</td>
<td>James Ames</td>
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<td>1803</td>
<td>Dan Read</td>
<td>Dan Read</td>
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<td>James Ames</td>
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<td>1804</td>
<td>Daniel Davis</td>
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<td>Daniel Davis</td>
<td>James Ames</td>
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<td>1805</td>
<td>William Haskell</td>
<td>Dan Read</td>
<td>Daniel Davis, Winslow Ames,</td>
<td>Daniel Davis</td>
<td>Dan Read</td>
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<td>1806</td>
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<td>Dan Read</td>
<td>Daniel Davis, Winslow Ames,</td>
<td>Daniel Davis</td>
<td>Thomas Hodgkin</td>
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<td>1807</td>
<td>John Herrick</td>
<td>Dan Read</td>
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<td>William Garcelon</td>
<td>Walter R. Blasdell</td>
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<td>Joel Thompson</td>
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<td>Daniel Davis</td>
<td>Walter R. Blasdell</td>
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<td>1809</td>
<td>Winslow Ames</td>
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<td>Winslow Ames, Ezra Randall,</td>
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<td>John Nash</td>
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<td>1810</td>
<td>John Herrick</td>
<td>Joel Thompson</td>
<td>Joel Thompson, Dan Read, William Garcelon,</td>
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<td>Walter R. Blasdell</td>
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<td>1811</td>
<td>David Fuller</td>
<td>Dan Read</td>
<td>Joel Thompson, Walter R. Blasdell,</td>
<td>Daniel Davis</td>
<td>Walter R. Blasdell</td>
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<td>1812</td>
<td>Daniel Davis</td>
<td>Dan Read</td>
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<td>William Golder, Jr.</td>
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<tr>
<td>1813</td>
<td>Winslow Ames</td>
<td>Joel Thompson</td>
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<td>Ezra Randall</td>
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</tr>
<tr>
<td>1814</td>
<td>Winslow Ames</td>
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<td>Joel Thompson</td>
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<td>1815</td>
<td>Ebenezer Herrick</td>
<td>Joel Thompson</td>
<td>Joel Thompson, Dan Read, William Garcelon,</td>
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<td>Joel Thompson</td>
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<td>1816</td>
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<td>1817</td>
<td>T. B. Stinchfield</td>
<td>Dan Read</td>
<td>William Garcelon, Walter R. Blasdell,</td>
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<td>Joseph Dill</td>
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<tr>
<td>1818</td>
<td>Oliver Herrick</td>
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<td>William Garcelon, Calvin Gorham,</td>
<td>Thomas Hodgkin</td>
<td>Thomas Hodgkin</td>
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<tr>
<td>1819</td>
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<td>Dan Read</td>
<td>William Garcelon, Calvin Gorham,</td>
<td>Thomas Hodgkin</td>
<td>Thomas Hodgkin</td>
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<tr>
<td>1820</td>
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<td>Dan Read</td>
<td>William Garcelon, William Dingley,</td>
<td>Thomas Hodgkin</td>
<td>Walter R. Blasdell</td>
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<td>1821</td>
<td>Benjamin Thorn</td>
<td>Nathan Reynolds</td>
<td>Nathan Reynolds, William Dingley,</td>
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<td>Walter R. Blasdell</td>
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<tr>
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<td>Dan Read</td>
<td>William Garcelon, William Dingley,</td>
<td>Thomas Hodgkin</td>
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<td>Dan Read</td>
<td>William Garcelon, William Dingley,</td>
<td>Thomas Hodgkin</td>
<td>Williams Bailey</td>
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<tr>
<td>1824</td>
<td>Nathan Reynolds</td>
<td>William Garcelon</td>
<td>William Garcelon, Dan Read, William Dingley,</td>
<td>Thomas Hodgkin</td>
<td>Williams Bailey</td>
<td>650</td>
<td>700</td>
</tr>
<tr>
<td>1825</td>
<td>W. R. Blasdell</td>
<td>William Garcelon</td>
<td>William Garcelon, Dan Read, William Dingley,</td>
<td>Thomas Hodgkin</td>
<td>Williams Bailey</td>
<td>650</td>
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</tr>
</tbody>
</table>
ADDRESS
OF
JACOB B. HAM, MAYOR,

AT THE ORGANIZATION OF THE CITY GOVERNMENT,
MARCH 16, 1863.

Gentlemen of the City Council:

In accordance with the provisions of our city charter, having been duly notified that by the returns of votes we have been selected by our fellow citizens to administer the government the ensuing year, we have assembled at this time, the blessing of Almighty God has been invoked upon us, we have taken the oath of office, and are prepared to enter upon the duties before us. The brief period which has passed since my election, and inexperience in the position assigned me, will, I hope, be sufficient apology for the few suggestions which I may make at the present time. I take this opportunity to thank my fellow citizens for their generous confidence in calling me to assist in the administration of the affairs of our city. I hope I shall ever deeply feel the responsibilities of the trust confided to me, and would that I could bring more ability and experience to the discharge of its various duties. On you, gentlemen, I rely for aid, and I doubt not I shall receive your cordial cooperation, without which I cannot hope for success.
Our citizens, hoping for improvement in their municipal affairs, have changed their form of government which has existed for the past sixty-eight years. They have placed the new government in our hands; and let us use every honest effort for the common good, so that when our term of service is ended we can feel assured that every duty has been faithfully performed. Gentlemen, the responsibilities of the government of our city for the coming year are upon us, and those responsibilities are none the less that most of us render our services without pecuniary reward. It is desirable that your prompt attendance may be secured at the meetings of the City Council, that your business may be done deliberately and harmoniously, so that there shall be no occasion for going over the same work again.

I deem it appropriate on this occasion to briefly allude to a few incidents in our past municipal history, and to some of those who have borne a prominent part in our town affairs. That the Plantation of Lewiston existed previous to the incorporation of the town, there can be no doubt, but whatever official records there may have been, have long since been lost or destroyed. The books of the Clerk, since the town's incorporation, are, we believe, all in existence, and in a good state of preservation. Some of the other town books and papers have been lost. All the town books and documents should be carefully collected and properly taken care of. In the future some of them may be of great value.

The act incorporating the town of Lewiston was passed by the Legislature of Massachusetts, and approved by the Governor, Samuel Adams, February 18, 1795. Benjamin Merrill, Esq., was empowered to issue his warrant, directed to some suitable inhabitant, requiring him to notify and warn the inhabitants thereof to meet at some convenient time and place, to choose such officers as towns are by law required to choose in the month of March or April annually. The first town meeting was held at the dwelling-house of Jedediah Morrill, on the sixth day of April, A. D. 1795. At this meeting, John
Herrick was chosen Moderator, and Noah Litchfield, Town Clerk. The inhabitants, believing doubtless in the adage that in the multitude of counsel there is wisdom, voted to choose five Selectmen; and John Herrick, Joel Thompson, Winslow Ames, James Garcelon and Daniel Davis were accordingly chosen.

At this period the currency of the country was in pounds, shillings and pence. The collection of taxes was put up to the lowest bidder, and was bid off by Nathan Cutler, at one shilling on the pound. "One hundred and fifty pounds was raised to be worked out on the highway, and sixty pounds to be laid out in schools." The town voted to allow the Assessors' account for the last year, being three pounds, and voted to allow Mr. Joel Thompson five pounds and eight pence for his expense and service at Portland. For what purpose he went there the record saith not. Also voted to raise five pounds and five shillings. Concerning the use to which this money was put, the record is likewise silent. The other usual town officers were chosen, and several peculiar votes passed. On the same day the inhabitants gave in their votes for Governor, and "the Hon. Samuel Adams, Esq." had seventy votes, and "the Hon. Elbridge Gerry, Esq." had seven votes.

In the sixty-eight years which have passed since the town was incorporated, only eleven different persons have held the office of Town Clerk. The last Clerk has been in office, with only one year's interruption, for twenty-four years. But ten different persons have acted as Town Treasurer—Daniel Davis for eleven years, Thomas Hodgkin for ten years, James Lowell in succession for twenty years, and our well-known and esteemed fellow-citizen, Hon. John M. Frye, for eleven years. Forty-two persons have acted as Selectmen. Of these, twenty-five are now living, and most of them residing here. The remainder, seventeen, are numbered with the dead. They filled the measure of their years and their duties, and passed away. We remember some of them in the prime and pride of manhood, enjoying the
respect and confidence of their fellow-citizens. Their memories, where they were best known, will be long and gratefully cherished.

Among those who were actively engaged in town affairs from 1800 to 1830, none were more prominent than Dan Read, Esq., well known to many now living. He was one of the Selectmen from 1800 to 1830, inclusive, in all twenty-six years; Town Clerk from 1801 to 1823, fifteen years; Moderator in 1800; Collector of Taxes in 1805; Representative to the General Court of Massachusetts in 1804 and 1805; and Representative to the Legislature of Maine in 1820, 1823, and 1825. He was also Postmaster of Lewiston almost uninterruptedly for more than forty years. Honest, capable, beloved, he lived to a good old age, and like a shock of corn fully ripened, was gathered to his fathers.

Among those now living, none have taken a more active and honorable part in town affairs than our venerable and esteemed fellow-citizen, Col. William Garcelon. Born here in 1786, and residing here from then till now, he forms a living link between the present and the past. He has been personally acquainted with every man who has taken any active part in town business. He has filled with honor for successive years the offices of Town Clerk, Selectman, Representative to the Legislature, and been the recipient of numberless other important trusts. To a remarkable degree has he become familiar with the boundaries of our town, farms, highways and streets. His plain, beautiful hand-writing upon our records, and his plans of the town, embracing every farm and lot of land, will be enduring monuments to his memory. His long life of activity has made him familiar with the men of bygone days, and no man living possesses so many facts as he does of our early history. Full of years and of honors, and retaining to a great degree his mental and physical faculties, he still lives and moves in our midst, respected and beloved by all. Would that the knowledge which he retains of matters of great interest to the city and individuals,
might be gathered up before he is gone from amongst us.

In 1807 the inhabitants voted upon the question of separation from Massachusetts. Forty voted for the separation, and forty-six against it. In 1816 the town again voted upon the question. Seventy-three voted for the separation, and eighty-three against. In 1819 the vote upon the separation was ninety-two in favor and thirty-six against. John Herrick was chosen a delegate to the convention at Portland to form a State Constitution. December 6, 1849, the town voted upon the question of the acceptance of the State Constitution. For the Constitution there were sixty-six votes, against it one.

Having thus briefly alluded to a few events and individuals of bygone days, I now turn to the consideration of matters connected with our present and future duties.

And first I call your attention to our public schools, which I doubt not will receive the attention their importance demands. The whole number of scholars in town on the first day of April, 1862, was 2557; the amount of money raised, $4500; our proportion of the State school fund, $931—making the sum of $5431 for the support of schools the past year. I am of the opinion that the amount raised was too small, and recommend an increased appropriation this year. New school houses are needed in some parts of the city, and some equitable plan should be adopted whereby the city may own all the school buildings, and the high and grammar schools be made accessible to all qualified to enter them. I understand that by the provisions of the city charter, all the powers and duties vested in any school district are now vested in the City Council, and that the act authorizing directors for school district No. 2 has been repealed. We can leave no better heritage to our children than the education which they may obtain in our free schools, and let us do our part to maintain in increased efficiency this priceless boon of our fathers.

Our streets, highways, sidewalks and bridges are a
prolific source of public expenditure. The amount appropriated last year for the ordinary repairs of highways, &c., was $3500. The amount expended was $4062.36, being an excess of $562.36 above the amount appropriated. The bridge at Barker’s Mills was carried away by the spring freshet, and it became absolutely necessary that it should be rebuilt. This involved an expenditure of $617.59, not anticipated at the time the appropriation was made. $488.01 was expended in breaking roads and cleaning sidewalks in March and April last, so that the amount paid for ordinary repairs and improvements has been comparatively small. An appropriation of $1000 by loan was made for the building of the new river road, and for land damages. The sum of $547.67 has been expended in building said road, and $300 for land damages, leaving a balance of $152.33 unexpended. Of this amount $150 is due Mr. Bradt for land damages. An appropriation of $300 by assessment was likewise made for building the road from Azor Merrill’s to the Seminary road, near Aaron Quimby’s. This road was built in a very creditable manner by Mr. Quimby for $277, leaving a balance of $23 unexpended. The bridge near the Bleachery will, I think, need rebuilding the present season. This work will involve considerable expense, but I should consider it exceedingly unwise to delay proper attention to this matter. Main street, from Lowell’s Corner to the toll bridge, is in bad condition. This wide and important thoroughfare is very flat, and most of the way without any gutters. The water runs down the middle of the street, thereby keeping it continually out of order. It can only be improved when a better system of drainage is adopted. Being one of our greatest thoroughfares, it should certainly receive corresponding attention. New sidewalks are needed on Bates and Franklin streets, from Main street to the depot, and probably in some other localities. Improvements generally, are also needed upon the Seminary road to Greene, and the hill on the Lisbon road below William A. Jones’ may be improved to the great advan-
tage of the travelling community. Most of the streets, highways, bridges and sidewalks, I believe to be in fair condition. I recommend that appropriation be made for the ordinary repairs of highways, bridges and sidewalks, and where important and extraordinary improvements are demanded, special appropriation be made for the purpose. The importance of general and perfect sewerage as a sanitary matter cannot be overrated. That a commencement should at least be made in this direction the present season, your own personal knowledge of the condition of portions of our city, will, I believe, be a sufficient guaranty. Portions of Lisbon and Lincoln streets should perhaps be first attended to, and whatever may be done in this important department, will, I doubt not, be fully matured with due regard to our present and future necessities.

During the past year there has been expended on account of paupers off the farm the sum of $3289.61. Of this amount there has been received and is due from other towns, $290.52;—making the net expense for support of poor off the farm, $2999.39. There has been paid on account of the town farm, for oxen purchased, salary of overseer, provisions, clothing, &c., $1128.62. The absolute expense is somewhat less, as the oxen purchased are now on hand. The total expense on account of paupers for the past year, will not be far from $4000, and the general expenses, other than schools and highways, about the same amount, making the current expenses $8000, $1500 more than the amount appropriated for this purpose. The proper management of the pauper department can only be effected by a more thorough system than has heretofore been adopted. My experience as an overseer of the poor has convinced me that improvements may be made, justice be done to all who may be so unfortunate as really to need the city's charity, and a large amount saved annually. Now that this department will be in the hands of those specially chosen for the purpose, we may reasonably hope for a better state of affairs. The alms-house should become more of
an institution; some improvements should be made to the building, furniture and bedding added to the house, and some of those at least now receiving aid away from the poor-house should be sent there forthwith. The calls for public charity, and the aid rendered, have been constantly increasing for a series of years. The poor we have always with us; our laws provide, and humanity demands, that they should be properly cared for. The subject, I doubt not, will receive your deliberate and candid attention.

The expenses of the Municipal Court for the past year have amounted to $384.68, and the receipts for the same time $367.75, leaving the court in debt to the town to the amount of $16.83. Our friends out of town who were so anxious that the profits of this court should be paid into the county treasury, will take due notice thereof. The place where the court is now held is wholly unfit for the purpose and convenience of those doing business; the dignity of the court and the reputation of our city alike demand that a more suitable room be procured immediately.

The amount paid for aid to soldiers' families since the commencement of the war is $11,129.56. Of this amount $4,629.56 was paid previous to our last annual town meeting, and $6,500 since March 18, 1862. It is expected that the State will refund most of the latter sum. Bills for the amount of aid rendered from March 18, 1862, to Jan. 1, 1863, have been rendered at Augusta, and I understand the amount allowed will be paid to the city about the first of April next. The amounts paid for bounties to soldiers are as follows:

For men enlisted for three years, $5,480 00
For men enlisted for nine months, 10,100 00

Making the whole amount paid, $15,580 00

In addition to the $100 paid by the town, our citizens voluntarily contributed to increase the bounty of the nine months' men so that the sum of fifty dollars each was raised and paid to one hundred and one men. A
small amount of this subscription is still in the hands of the committee who had charge of the contributions. Besides the amount contributed for bounties, we believe we have not been behind other communities in our efforts to sustain those who have gone forth in defence of our government. In contributions of clothing and of money and articles for sanitary purposes, the people of Lewiston, and especially the ladies of Lewiston, have nobly done their duty, and will ever be ready to do their duty, not only to those who have left the comforts of home for the tented field, but to those loved ones whom the soldier has left behind. The amount heretofore raised for aid to families has been all expended, and many are unpaid for the last month. In view of these facts, your immediate action on the matter will be necessary.

The public park, or common, has now become one of the institutions of our city, and should be properly cared for. The amount raised by the town ($5000) has been expended in grading, fencing, &c., and there remains much to be done to complete the work as originally designed. Trees should be planted and walks gravelled, and other improvements made, for which an appropriation will be necessary. I trust that tree-planting may become one of the features of our city, and that our citizens may emulate each other in their generous interest in thus ornamenting our thoroughfares.

Our fire department I believe to be in good condition. During the past year we have been fortunate as regards fires, the companies being called out but few times, and the loss of property comparatively small. An efficient fire department is certainly desirable, and I trust that those who volunteer to be always ready, in season and out of season, to protect our homes from the devouring element, will receive every reasonable support. Reservoirs I think are needed in the vicinity of the fair grounds, and in that part of the city near Col. John M. Frye's. The hook and ladder company have not suitable rooms, either for their place of meeting or for keep-
ing their apparatus. This very effective portion of our fire department should not be neglected, and suitable conveniences for their accommodation should be provided.

The liabilities and resources of the city are as follows:

**LIABILITIES.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Outstanding notes</td>
<td>$44,645 00</td>
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<tr>
<td>Interest on same to March 1, 1863</td>
<td>1,940 24</td>
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<tr>
<td>Outstanding orders for bounties to nine months volunteers</td>
<td>10,100 00</td>
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<tr>
<td>Interest to March 1</td>
<td>268 45</td>
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<tr>
<td>Other outstanding orders due on demand</td>
<td>1,012 63</td>
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<td>Due the school districts</td>
<td>116 86</td>
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<tr>
<td>Due Samuel C. Fessenden</td>
<td>463 62</td>
</tr>
<tr>
<td>Due Daniel Bradt</td>
<td>150 00</td>
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<tr>
<td>Unsettled bills, estimated</td>
<td>200 00</td>
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<tr>
<td><strong>Total liabilities</strong></td>
<td><strong>$58,896 80</strong></td>
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**RESOURCES.**

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<tr>
<th>Description</th>
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<td>Due on uncollected taxes</td>
<td>$3,067 49</td>
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<tr>
<td>Due from other towns</td>
<td>109 50</td>
</tr>
<tr>
<td>Due from fees of Municipal Court</td>
<td>112 50</td>
</tr>
<tr>
<td>Liquors on hand in agency</td>
<td>245 13</td>
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<tr>
<td>Due from State for money paid soldiers' families</td>
<td>6,500 00</td>
</tr>
<tr>
<td>Cash in treasury, March 1, 1863</td>
<td>74 98</td>
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<tr>
<td><strong>Total resources</strong></td>
<td><strong>$10,109 60</strong></td>
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Total liabilities above resources, $48,787 20.

A portion of the taxes in the hands of the collectors can never be made available, and a small part of the amount paid the families of volunteers may not be allowed. The actual liabilities of the city March 1st, 1863, cannot vary materially from $50,000. The sum is quite a large one, yet it is not probably greater in proportion to our amount of taxable property than in most cities and large towns. The valuation of Lewiston in 1862 was $3,338,688, and a tax of one and a-half per cent. upon this valuation would pay off the whole city debt. Political economists have asserted that a national debt is a blessing. If this be so, blessings innumerable are already upon us. But as a general rule, debts of individ-
uals, towns and cities, cannot be considered blessings. Each year comes laden with its own burdens, and it will be enough for posterity to provide for its own liabilities. I recommend that provision be made for the gradual payment within a reasonable time, of our present city debt. $7561 of our debt falls due this year, and must be provided for. It cannot be reasonably expected that our taxation will not increase in this and coming years. With our country engaged in civil war, with no certain prospect of increase of business or means, greater taxation is inevitable. Yet I believe that sacrifices to that end will be cheerfully made by our people, that the government may be sustained, and the cause of humanity and justice finally triumph. An inventory of all the property, real and personal, liable to taxation, is required by law to be taken on the first of April of each year, and in a matter of so much interest it is hoped that the work will be thoroughly and faithfully performed. In addition to the manner prescribed by law for the collection of town taxes, the city council is authorized by its charter to establish further and additional provisions for the collection thereof. It will be for you to determine in regard to regulations under which taxes shall be collected. I suggest that an appropriation be made for abatement of taxes, as the overlayings may be less than the amount necessary to be abated.

It will be your duty, as soon hereafter as may be convenient, to elect and appoint all the subordinate officers and agents of the city; to provide suitable rooms for the meetings and officers of the city government; to adopt proper rules and orders for your own government; and to pass such laws and ordinances as shall be needful to the good order of our city. Place no more ordinances upon your statute book than you intend shall be enforced, as laws enacted and remaining a dead letter serve only to bring the whole into contempt.

It will be the duty of the Mayor and Aldermen to appoint the necessary police officers, and to cause a division of the city into wards, as provided in the city
charter. The quiet of the city, the safety of the lives and property of our citizens, and the success of our new form of government, depend very much upon the efficiency of the police department.

Other matters will of course demand your attention which I cannot here enumerate. I shall be happy from time to time to communicate to you such information, and recommend such measures, as the business and interests of the city may require.

Before concluding, let us not forget those of our fellow citizens who have gone from among us to fight our country's battles. Let us drop the silent tear to the memory of those who have died in the defence of all we hold most dear. Let not those who are now combating treason in the South, be discouraged by the plottings of treason at the North, but let them be cheered by the warm sympathy of every loyal heart. May they live to see the cause of the Union triumph, when our country's flag shall float in every city, town and hamlet of all the States; and when peace shall once more bless our land, may they return in safety to their families and friends.

In conclusion I cannot do better than to adopt the language of the chief-magistrate of a sister city, who says: "We have read with sorrow the ill-suppressed exultation with which one of the leading journals of England has said, 'The Great Republic has gone forever.' Is it so? As with the voice of many waters the freemen of the North have arisen and declared in the name of the God of their fathers, it shall not be! That this land, from the waters of the St. Lawrence to the Gulf of Mexico, from the Atlantic to the Pacific, shall be free, united—the home of the exile, the oppressed, the down-trodden of other lands; a land of an open Bible, of the triumphs of the cross; a land in which the 'bands of wickedness shall be unloosed, the heavy burden shall be undone, the oppressed shall go free, and every yoke shall be broken. Then shall our light break forth as the morning.' The prayers of its founders shall not be unanswered; behind the clouds and darkness
which now rests upon us sits our God. Let us turn unto Him, and He will turn unto us and bless us. The conflict which is upon us is not for to-day; it is for all coming time. It is the conflict for human liberty—not for ourselves only, but for the world."