

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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1867.

FORTY-SIXTH LEGISLATURE.

SENATE.

No. 20.

STATE OF MAINE.

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

AN ACT to incorporate the City of Saco.

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

SECTION 1. The inhabitants of the town of Saco, in
2 the county of York, shall continue to be a body politic
3 and corporate, by the name of the City of Saco; and
4 as such shall have, exercise and enjoy all the rights,
5 immunities, powers, privileges and franchises, and be
6 subject to all the duties and obligations now apper-
7 taining to, or incumbent upon, said town as a municipi-
8 pal corporation, or appertaining to, or incumbent upon
9 the inhabitants or selectmen thereof; and may ordain
10 and publish such ordinances, by-laws and regulations,
11 not inconsistent with the constitution and laws of this

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

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

21 gations, scrip or orders, given by the city council, or
22 any officer or agent thereof, for money or property
23 obtained for any other purpose, shall be void.

SECT. 3. The mayor of said city shall be the chief
2 executive magistrate thereof. It shall be his duty to
3 be vigilant and active in causing the laws and regula-
4 tions of the city to be executed and enforced, to exer-
5 cise a general supervision over the conduct of all sub-
6 ordinate officers, and to cause their violations and neg-
7 lect of duty to be punished. He may call special
8 meetings of the board of aldermen and common coun-
9 cil, or either of them, when, in his opinion, the inter-
10 est of the city requires it, by a notice in one or more
11 of the papers printed in the city, or by causing a sum-
12 mons or notification to be given in hand, or left at the
13 usual dwelling place of each member of the board or
14 boards to be convened. He shall from time to time
15 communicate to both of them such information, and
16 recommend such measures as the business and interests
17 of the city may, in his opinion require, and appoint
18 annually such officers as he is required to by statute.
19 He shall preside in the board of aldermen and in the
20 joint meeting of the two boards, but shall only have a
21 casting vote. The salary and compensation of the
22 mayor shall be two hundred dollars per year, which
23 shall not be increased or diminished during his contin-

24 uance in office, unless by the vote of the qualified
25 electors in ward meetings called for that purpose, nor
26 shall he receive from the city, any other compensation
27 for any services by him rendered in other capacity or
28 agency ; *provided however*, the city council may elect
29 the mayor to any city office, and allow him reasonable
30 compensation for services rendered in such office ; but
31 the aldermen and common council shall not be entitled
32 to receive any salary or compensation for any services
33 by them performed as such. .

SECT. 4. The executive powers of said city gener-
2 ally, and the administration of police, with all the
3 powers of the selectmen of the town of Saco, shall be
4 vested in the mayor and aldermen as fully as if the
5 same had been herein particularly enumerated ; all
6 other powers now vested in the inhabitants of said
7 town, and all powers granted by this act shall be
8 vested in the mayor and aldermen and common council
9 of said city, to be exercised by concurrent vote ; each
10 board to have a negative upon the other, but all elec-
11 tions of officers by the city council shall be by joint
12 ballot of the two boards in convention. The city
13 council, shall, annually on the third Monday in March,
14 or as soon thereafter as may be convenient, elect, and
15 appoint for the ensuing year, all the subordinate offi-

16 cers and agents for the city, including a chief engineer,
17 and other necessary engineers of the fire department,
18 which chief engineer, and, in his absence, the subor-
19 dinate engineers, shall have all the power and author-
20 ity that fire-wards now have ; shall define their duties,
21 fix their compensation, and may, by concurrent vote,
22 remove officers, when, in their opinion, sufficient cause
23 for their removal exists. All officers shall be chosen
24 and vacancies supplied, for the current year, except as
25 herein otherwise provided. All the said subordinate
26 officers and agents shall hold their offices during the
27 ensuing year, and until others shall be elected and
28 qualified in their stead, unless sooner removed by the
29 city council ; and all moneys received and collected
30 for and on account of the city, by any officer or agent
31 thereof, shall forthwith be paid into the city treasury.
32 The city council shall take care that moneys shall not
33 be paid from the treasury unless granted or appropri-
34 ated ; shall secure a prompt and just accountability by,
35 requiring bonds with sufficient penalties and sureties,
36 from all persons trusted with the receipt or custody of
37 the public money ; shall have the care and superin-
38 tendence of the city public buildings, and the custody
39 and management of all the city property, with powers
40 to let or sell what may be legally let or sold ; and to

41 purchase in the name of the city, such real and per-
42 sonal property, as they may deem of public utility.
43 And the city council shall, as often as once a year,
44 cause to be published, for the information of the in-
45 habitants, an account of receipts and expenditures,
46 and a schedule of the city property ; and no money
47 shall be paid from the city treasury, unless the same
48 be appropriated by the city council, and upon a war-
49 rant signed by the mayor, which warrant shall state
50 the appropriation under which the same is drawn.

SECT. 5. Every law, act, ordinance or bill appro-
2 priating money, having passed both branches of the
3 city council, shall be presented to the mayor, and if he
4 approves the same, he shall sign it, if not, he shall
5 return it within seven days, with his objections, to that
6 branch of the city council in which it shall have origin-
7 ated, which branch shall enter the objections at large on
8 its journals, and proceed to reconsider said law, act,
9 ordinance or bill. If upon such reconsideration, a ma-
10 jority of the whole number of that branch shall agree to
11 pass it, it shall be sent, together with the objections,
12 to the other branch, by which it shall be reconsidered,
13 and if approved by a majority of the whole number of
14 that branch, it shall have the same effect as if signed
15 by the mayor, and it shall be the duty of the mayor to

16 sign any warrant necessary for the execution of such
17 law, act, ordinance or bill, and in case of his refusal,
18 such branches may order the treasurer to pay the same,
19 and their order shall be a sufficient authority and
20 voucher for the treasurer to pay the same.

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

SECT 7. The city council shall have exclusive power
2 and authority to lay out any new street or public way,
3 or widen or otherwise alter or discontinue any street
4 or way in said city, and to estimate the damage any
5 person may sustain thereby, and shall in all other

6 respects be governed by, and be subject to, such rules
7 and restrictions as are by law provided in this state
8 for regulating the laying out of public highways and
9 repairing streets. And any person aggrieved by the
10 decision or judgment of said city council, may, as far
11 as relates to damages, have them assessed by a com-
12 mittee or jury, as is now by law provided; and any
13 highway or town way or bridge which has been or
14 may hereafter be located in said town or city, shall
15 nevertheless be deemed to be legally located and estab-
16 lished; *provided* that the county commissioners of
17 York county shall have power to lay out, widen or
18 otherwise alter or discontinue within said city, any part
19 of any county road that has been or shall be by them
20 laid out in any adjoining town or towns, passing
21 thence into or through said city.

SECT. 8. It shall be lawful for the city council, by
2 a committee by them appointed, or by instructions to
3 the commissioners of streets, to appropriate, set off
4 and reserve as side-walks, such part or portion of the
5 several streets in said city, now or hereafter to be
6 established, as to said council may appear necessary
7 for the safety, convenience and accommodation of foot
8 passengers. It shall be lawful for the city council to
9 permit or direct posts of stone or wood or trees to be

10 placed along the edge of said side-walk, next to the
11 travelled part of the street, in such number and man-
12 ner as they may deem necessary for hitching places
13 and to protect said side-walks and the persons travel-
14 ling thereon from damage or inconvenience from teams
15 or carriages or for shade or ornament. So much of
16 the several streets in said city as shall be appropriated
17 and reserved as side-walks, agreeable to the provis-
18 ions of this act, shall be taken and deemed to be re-
19 served exclusively for the accommodation, convenience
20 and use of persons travelling on foot ; and said city
21 shall not be liable to damages for any injury done or
22 occasioned in consequence of any cart, carriage, wagon
23 or other vehicle, or any team or animal, striking
24 against any of said side-walks, or the posts or trees set
25 or placed there to defend the same or for the other pur-
26 poses aforesaid ; and they shall in no suit, prosecution
27 or proceeding, be regarded as an obstruction, or con-
28 strued as in any way rendering the way or street de-
29 fective, so as to make the city in any way or manner
30 liable for injuries or damage resulting in whole or in
31 part therefrom to any person whatever either in his
32 person or property. The several side-walks on the
33 streets in said city, as at present established and used,
34 shall be taken and deemed to be the proper and lawful

35 reservation for that purpose, until altered or otherwise
36 established by the proper authority.

SECT. 9. The city council shall have power, on such
2 terms and conditions as they may think proper, to
3 authorize and empower any person or corporation to
4 place in any street, for such time as may be necessary,
5 any materials for making or repairing any street, side-
6 walk, cross-walk, bridge, water-course or drain, or for
7 erecting, repairing or finishing any building or fences ;
8 *provided*, that no more than one third of the width of
9 the street shall be so occupied, and such materials so
10 placed by virtue of any license obtained as aforesaid,
11 shall not be considered an incumbrance or nuisance in
12 such street, and the city, or person or corporation, so
13 placing the same, shall not be liable for any damages
14 occasioned by such materials.

SECT. 10. All the laws and regulations now in force
2 in said town, shall, notwithstanding this act, be and
3 remain in force until they shall expire by their own
4 limitations, or be revised or repealed by the city coun-
5 cil ; and prosecutions and suits may be commenced
6 and proceeded thereon in the name of the city, by offi-
7 cers or other persons thereby empowered or directed to
8 prosecute and sue ; and the fines and penalties shall

9 go to the uses in such laws or regulations named, and
10 according to law.

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

SECT 12. The mayor shall be elected from the cit-
2 izens at large, by the inhabitants of the city voting in
3 their respective wards. One alderman and two com-
4 mon councilmen shall be elected by each ward, being
5 residents in the wards where elected. All said officers
6 shall be elected by ballot by a majority of the votes giv-
7 en, and shall hold their offices for one year from the third
8 Monday in March, and until others shall be elected in
9 their places ; *provided however*, that if the city shall be
10 divided into less than seven wards, then one or two
11 (as the case may be) of the aldermen shall be elected
12 at large by the inhabitants of the city, the whole num-

13 ber of aldermen in no case to be more than seven, as
14 provided in section two of this act.

SECT. 13. The mayor shall appoint a city marshal
2 who shall have all the powers and exercise all the du-
3 ties that now appertain to constables of towns; and
4 who shall be chief of the city police, and as such may
5 enforce such ordinances and regulations under the
6 direction of the mayor, as may be adopted by the city
7 council for the government of the city of Saco ; and
8 in all cases where appointments to office have hereto-
9 fore been directed or authorized to be made by the
10 mayor and aldermen of cities, the mayor shall make
11 such appointments in the city of Saco, by and with
12 the advice and consent of the aldermen, and such offi-
13 cers may be removed by him with their concurrence.

SECT. 14. It shall be the duty of the selectmen of
2 the town of Saco, as soon as may be, after this act
3 shall have been accepted, as hereinafter provided, to
4 cause a division of said town to be made into seven
5 wards, in such manner as to include, as nearly as con-
6 veniently may be, consistently with well defined limits
7 to each ward, an equal number of inhabitants in each
8 ward, and appoint a warden to preside at the first
9 meeting until a warden is elected.

SECT. 15. For the purpose of organizing the system

2 of government hereby established, and putting the
3 same in operation, in the first instance, the selectmen
4 of the town, for the time being, shall seasonably, be-
5 fore the second Monday of March, next after the ac-
6 ceptance of this charter, issue their warrants for calling
7 meetings of the said citizens at such place and hour
8 upon said day, as they shall think expedient, for the
9 purpose of choosing a warden and clerk for each ward,
10 and also to give their votes for a mayor to be taken
11 from the city at large, and one alderman and two com-
12 mon councilmen, and one constable, for each ward ;
13 the transcript of the records of each ward specifying
14 the votes given for mayor, one alderman and two com-
15 mon councilmen, and one constable, certified by the
16 warden and clerk of such ward, shall at said first
17 election, be returned to the said selectmen of the said
18 town of Saco, whose duty it shall be to examine and
19 compare the same ; and in case said election shall not
20 be completed at the first election, then to issue a new
21 warrant until such election shall be completed accord-
22 ing to the provisions of this act ; and to give notice
23 thereof to the several persons elected ; and at said
24 meeting, a list of voters in each ward, prepared and
25 corrected by the selectmen of the town of Saco, for
26 the time being, shall be delivered to the clerk of each

27 ward when elected, to be used as provided by the law
28 in town meetings ; and it shall be the duty of the city
29 council in convention, immediately after their first or-
30 ganization, to elect by ballot, a city clerk and all other
31 necessary city officers, who shall hold their offices res-
32 pectively until others are chosen and qualified in their
33 places ; and the city council shall, on the seventh day
34 after the day of their election, meet at ten of the clock
35 in the forenoon, at the Town Hall, in said Saco, and
36 organize the city government in the manner provided
37 in the following section.

SECT. 16. On the first Monday of March, annually,
2 after the first election, the qualified electors of each
3 ward shall ballot for a mayor, one alderman and two
4 common councilmen, warden, clerk and constable ; all
5 the votes given for the said several officers, respect-
6 ively, shall be sorted, counted, declared and registered
7 in open ward meeting, by causing the names of per-
8 sons voted for, and the number of votes given for each
9 to be written on the ward record at length. The ward
10 clerk, within twenty-four hours after such election,
11 shall deliver to the persons elected alderman and com-
12 mon councilmen certificates of their election, and shall
13 forthwith deliver to the city clerk a certified copy of
14 the record of such election ; *provided however*, that, if

15 the choice of alderman and common councilmen cannot
16 be conveniently effected on that day, the meeting may
17 be adjourned from day to day to complete such elec-
18 tion. If on the second balloting for any alderman,
19 common councilman, warden or clerk, a choice shall
20 not be effected by a majority vote, then the persons
21 receiving the highest number of votes for any of those
22 offices at the subsequent trial, shall be declared elect-
23 ed ; if no one shall then have such highest number,
24 the balloting shall continue from day to day until a
25 choice is thus effected. The board of aldermen shall,
26 as soon as conveniently may be, examine the copies of
27 the records of the several wards, certified as aforesaid,
28 and shall cause the person who shall have been elected
29 mayor by a majority of votes given in all the wards,
30 to be notified in writing of his election ; but if it shall
31 appear that no person shall have been elected, or if
32 the person elected shall refuse to occupy the office, the
33 said board shall issue their warrants for another elec-
34 tion ; and in case the citizens should fail on a second
35 ballot to elect a mayor, the said board shall again
36 issue their warrants for a third election, to be held not
37 less than three nor more than seven days thereafter ;
38 at which election, the candidate having the greatest
39 number of votes, shall be declared elected, and notified

40 as aforesaid ; if no one shall then have such number,
41 further elections shall in the same manner be ordered,
42 till a choice shall be made, by some one having the
43 highest number of votes ; and in case of a vacancy in
44 the office of mayor by death, resignation or otherwise,
45 it shall be filled for the remainder of the term by a
46 new election in the manner hereinbefore provided for
47 the choice of said officer ; and in the meantime the
48 president *pro tempore* of the board of aldermen shall
49 perform the duties of mayor. The oath prescribed by
50 this act shall be administered to the mayor by the city
51 clerk, or any justice of the peace in said city. The
52 aldermen and common councilmen elect, shall, on the
53 third Monday of March, at ten of the clock in the fore-
54 noon, meet in convention, when the oath required by
55 the second section of this act shall be administered to
56 the members of the two boards present, by the mayor
57 or any justice of the peace, and thereupon the two
58 boards shall separate, and the board of common coun-
59 cil shall be organized by the election of a president
60 and clerk.

SECT. 17. The city clerk shall be the clerk of the
2 board of aldermen ; he shall perform such duties as
3 shall be prescribed by the board of aldermen or com-
4 mon council, and shall perform all duties and exercise
5 all powers by law incumbent upon, or vested in, the

6 town clerk of the town of Saco ; he shall give notice
7 in one or more of the papers printed in said city of the
8 time and place of regular ward meetings ; but the
9 place of regular ward meetings, and also the day and
10 hour, when not fixed by law, shall be determined by
11 the board of aldermen. The board of aldermen may,
12 in the absence of the mayor, choose a president *pro*
13 *tempore*, who shall preside at joint meetings of the two
14 boards. Each board shall keep a record of its pro-
15 ceedings, and judge of the election of its own mem-
16 bers, and in case of failure of election, or vacancy by
17 death, resignation or otherwise, may order new elec-
18 tions. A quorum for the transaction of business, shall
19 in each board consist of a majority of the members
20 thereof ; all meetings of the aldermen and common
21 council, and all meetings of the two boards in conven-
22 tion shall be open and public, and the presiding officer
23 of each of them shall have the power of moderators of
24 town meetings. At either of said meetings, when any
25 two members shall request it, the vote shall be taken
26 by yeas and nays, which shall be recorded by the
27 clerk.

SECT. 18. The city council shall have authority to
2 establish and make regulations for the measurement
3 and sale of wood and bark in said city, whether

4 brought by teams or railroad, and may affix suitable
5 penalties for the violations thereof, anything in the
6 public laws of the state to the contrary notwithstanding.
7

SECT. 19. The city council are hereby authorized
2 and empowered to pass any ordinance or ordinances
3 regulating or forbidding the erection of wooden build-
4 ings on any street or streets in said city, when they
5 may deem it necessary or conducive to the public
6 safety.

SECT. 20. The city council may make and establish
2 such ordinances or regulations as they may deem for
3 the public good for the regulation of carts, drays or
4 other teams in said city, and prescribing the width of
5 tire that shall be used.

SECT. 21. All the power and authority vested in the
2 inhabitants of any school district in the city of Saco,
3 by virtue of chapter eleven of the revised statutes,
4 relating to the education of youth, shall be and the
5 same is hereby invested in the board of aldermen and
6 common council of the city aforesaid, and they are
7 authorized to consolidate the school districts of said
8 city, arrange all the affairs of the same as one district,
9 and also when such consolidation shall take place, to
10 assume the debts and liabilities of the several districts,

11 and to provide for them in the same manner as if the
12 debt were contracted by the city.

SECT. 22. The city council of Saco may require the
2 owner of any lot of ground fronting on any street or
3 way in said city, to cause the foot way or side-walks
4 in front of said lot to be paved with brick or flat
5 stones, with suitable curb-stones, or to be covered with
6 plank or other suitable materials, as they may deem
7 proper, the same to be done under the direction and
8 to the approbation of the committee on streets. If
9 the owner of such lot shall refuse or neglect to pave or
10 cover such side-walk or foot way to the satisfaction of
11 said committee, for the space of twenty days after he
12 or the tenant of such lot shall have been thereto
13 required by the commissioner of streets, it shall then
14 be the duty of said commissioner to procure the same
15 to be done, and the city shall have a lien on the prop-
16 erty for expenses thereof, to be enforced as in the fol-
17 lowing section. The city council, before requiring
18 any such side-walk or foot way to be so paved or cov-
19 ered, shall, by a general ordinance, assume a portion
20 of said expense to an amount not less than one-third
21 thereof, to be paid by the city in money or materials.

SECT. 23. The city council of said city may lay out,
2 make, maintain and repair, all main drains or common

3 sewers in said city, and the mayor and aldermen may
4 assess upon the owners of the abutting lots and other
5 lots benefited thereby, and who shall enter the same
6 directly or indirectly, a proportional part of the charge
7 of making and keeping in repair such main drain or
8 common sewer, to be ascertained and assessed by the
9 mayor and aldermen of said city, and by them certi-
10 fied, after notice given thereof, in writing, to the party
11 to be charged, or by advertisement for seven days in
12 at least one newspaper in said city ; but not less than
13 a third part of the cost of making and repairing such
14 main drain or common sewer shall be paid by the city,
15 and not more than two-thirds of the same shall be
16 charged to the abutters ; and in case the mayor and
17 aldermen shall adjudge any lot of land, situated so as
18 to be connected with any main drain or common sewer
19 so constructed, to require drainage, in order to preserve
20 or promote the health or welfare of the city, it shall
21 be competent for them to give reasonable notice there-
22 of to the owner of such lot, who shall cause the same
23 to be drained according as the mayor and aldermen
24 shall direct ; and on failure of such owner to comply
25 with such order, they may cause the same to be so
26 drained, and assess the cost of such drainage upon
27 the owner of such lot. If the owner of any lot thus

28 directed to be drained deems such order unreasonable,
29 he may appeal to the county commissioners, and their
30 decision in such cases shall be final ; and the cost of
31 such appeal shall be borne by the party making the
32 appeal if the order of the city council is sustained,
33 otherwise by the city. All assessments made under
34 the provisions of this section shall constitute a lien on
35 the real estate, so assessed, for two years after they
36 are laid. They shall be certified by the mayor and
37 aldermen, under their hands, to the treasurer and col-
38 lector of said city, and his successors, with directions
39 to collect the same according to law, and may, with
40 all incidental costs and expenses, be levied by sale of
41 the real estate, by him or them, if the assessment is
42 not paid within three months after a written demand
43 of payment made by him or them either upon the per-
44 sons assessed or their agent, or in case neither can be
45 found in said city, upon any person occupying the es-
46 tate, such sale to be conducted in like manner as sales
47 for non-payment of taxes on land of resident owners,
48 and with a similar right of redemption. Any person
49 who may feel himself aggrieved by any such assess-
50 ment, may appeal to the county commissioners, and
51 their decision as to the sum which the appellant should
52 pay shall be final ; and in case the assessment made

53 as aforesaid, shall not be reduced on such appeal, the
54 city shall recover costs, but otherwise shall pay costs.
55 Any person who shall directly or indirectly enter such
56 main drain or common sewer, without first obtaining
57 a permit from the mayor therefor, shall be subject to a
58 fine not exceeding one hundred dollars.

SECT. 24. General meetings of the citizens qualified
2 to vote in city affairs may, from time to time, be held
3 to consult upon the public good, to instruct their repre-
4 sentatives, and to take all lawful measures to obtain
5 redress of any grievances according to the right secured
6 to the people of the state by the constitution of this
7 state ; and such meeting shall be duly warned by the
8 mayor and aldermen, upon request of fifty qualified
9 voters. The city clerk shall act as clerk of such meet-
10 ing, and record the proceedings upon the city records.

SECT. 25. This act shall take effect and be in full
2 force when the same shall have been accepted by the
3 inhabitants of said town, qualified to vote in town
4 affairs, at a legal meeting called for that purpose,
5 *provided*, that it shall be accepted within five years
6 from the passage of this act ; but not more than one
7 meeting for that purpose shall be called in any one
8 year. And at such meeting the inhabitants of said
9 town shall vote by written ballot ; those in favor of

10 accepting this act having on their ballot the word
11 "yes," and those opposed having on the ballot the
12 word "no"; and if a majority of all the ballots re-
13 ceived are in favor of accepting the same, it shall then
14 become a law and take effect, and it shall be the duty
15 of the clerk of said town to file a copy of the record
16 of the vote of said town accepting the same, with the
17 clerk of the city of Saco, when elected, who shall
18 transcribe such copy into the records of the city, and
19 such record shall be conclusive evidence that this act
20 has been accepted.

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

SECT. 27. This act shall take effect when approved
2 by the governor, so far as to authorize its submission
3 to the legal voters of the town of Saco in the manner
4 prescribed in section twenty-five, and when accepted
5 by said voters shall be in full force and effect.

STATE OF MAINE.

IN SENATE, January 26, 1867.

Reported by Mr. CALDWELL, from the Committee on the Judiciary, read once and laid on the table, and the usual number of copies ordered to be printed.

THOMAS P. CLEAVES, *Secretary.*