

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 144.

STATE OF MAINE.

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

AN ACT to divide the town of Cape Elizabeth, in the County
of Cumberland, and to fix the names of the respective
portions thereof.

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

SECTION 1. All that part of the town of Cape Eliza-
2 beth, which lies southerly of the following described line,
3 namely: Beginning on the northeasterly side of said town
4 near the southerly side of Danforth cove and at a point on
5 the sea shore where the division line between said Dan-
6 forth cove property on the north and certain Owen prop-
7 erty on the south meets tide water, thence westerly on
8 said division line to the easterly side line of the Point
9 road, thence westerly across said road to the division line
10 between land formerly of the estate of Samuel B. Angell

11 on the north and land of the heirs of the late Charles
12 W. Goddard on the south and running westerly along
13 said division line and crossing Cape Cottage road to
14 the westerly corner of land of Samuel B. Angell to
15 a stone monument; thence northerly over land of cer-
16 tain Jordan heirs to the southerly corner of land of
17 the heirs of Daniel Pillsbury and the easterly corner of
18 land of Catherine D. Sawyer; thence southwesterly along
19 the division line between said Sawyer's land and land of
20 said Jordan heirs to the southerly corner of said Sawyer's
21 land to the so-called Ephraim Sawyer corner; thence
22 northerly on line of said Sawyer's land about nineteen
23 feet to the easterly corner of land of Margaret D. Flint;
24 thence southwesterly on the division line between said
25 Flint's land and certain Twitchell land to the southerly
26 corner of said Flint's land and to the easterly side of the
27 Middle road; thence southwesterly across said Middle
28 road and across land now of Albion Burbank about thirty-
29 nine and one quarter rods to land of E. H. Woodbury
30 heirs; and same course across said Woodbury's land
31 about twenty and one-half rods to the easterly end of the
32 so-called Jordan Roberts brook and to the most southerly
33 corner of land of Jordan Roberts' heirs; thence south-
34 westerly along the middle of said brook to the so-called
35 Charles Waterhouse road and along said brook crossing
36 said road, to the northeasterly side line of the Ocean
37 House road; thence northerly along this said side line of
38 said road thirty-four and one-half rods to a point oppo-
39 site of the end of the division line between land of E. W.
40 Place and Charles Lendall; thence southwesterly along
41 said division line between said Lendall's land on the north

42 and said Place's land on the south, to the northeasterly
43 side line of the Mark Dyer farm; thence northwesterly
44 along said side line of the said Mark Dyer farm about
45 sixty and one-third rods to the southerly side line of the
46 Jonah Dyer road; thence crossing said road six rods to a
47 point in the southwesterly side line of the Stillman Dyer
48 road; thence northwesterly along the said side line of the
49 said Stillman Dyer road about fifty-five and three-fourths
50 rods to the northerly corner of the said Mark Dyer farm;
51 thence southwesterly along the division line between said
52 Mark Dyer farm and land of certain Higgins brothers
53 eighty-one and one-half rods to the westerly corner of the
54 said Mark Dyer farm and to the northerly corner of the
55 Silas Dyer farm; thence southwesterly along the division
56 line between said Silas Dyer farm and said Higgins' land,
57 to the southerly corner of said Higgins' land; thence
58 northwesterly along the southerly side line of the said
59 Higgins' land, and adjoining said Silas Dyer farm, to the
60 most northerly corner of said Silas Dyer farm; thence
61 southwesterly along the northerly side line of said Silas
62 Dyer farm adjoining certain Stanwood land, to the west-
63 erly corner of said Silas Dyer farm; thence southeasterly
64 along the southwesterly side line of said Silas Dyer farm
65 and adjoining certain Whitney land to the easterly corner
66 of said Whitney land and the northerly side line of
67 Jonah Dyer farm; thence southwesterly by said line
68 of the Jonah Dyer farm and adjoining said Whit-
69 ney land to the northeasterly side of the George
70 Fickett road; thence northwesterly along the north-
71 easterly side line of said road twenty-eight and one-half
72 rods to a point opposite the northerly side line of the
73 Silvanus Higgins' farm; thence westerly and southwesterly

74 along the said side line of said Higgins' farm, to the
75 westerly corner thereof; thence continuing the same
76 course as the last part of said last described side line to
77 the dividing line between said town of Cape Elizabeth
78 and the town of Scarborough, is hereby set off from said
79 town of Cape Elizabeth, and incorporated, with the
80 inhabitants thereof, into a separate town by the name of
81 Cape Elizabeth; and the name of the remaining portion
82 of said town, lying northerly of said line shall be the
83 town of Elizabeth. Said new town of Cape Elizabeth
84 shall have all the privileges and powers, and be subject
85 to all the duties and liabilities of towns as provided by
86 the general Statutes of the state.

SECT. 2. The inhabitants of said new town of Cape
2 Elizabeth shall be holden to pay all taxes which have been
3 legally assessed upon them in the town of Cape Elizabeth,
4 and the collectors of taxes for said town are authorized
5 and required to collect and pay all the taxes to them com-
6 mitted, according to their respective warrants. All mon-
7 eys now in the treasury of said town and all sums which
8 shall hereafter be received from taxes heretofore assessed
9 shall be applied to the several purposes for which they
10 were received, and each town officer of the present town
11 of Cape Elizabeth shall have the same powers and perform
12 the same duties as they now have and perform within the
13 limits of said new town of Cape Elizabeth, until the
14 organization of said new town by the choice of like town
15 officers.

SECT. 3. Said new town of Cape Elizabeth shall pay
2 such proportion of the present indebtedness of the town
3 of Cape Elizabeth as the polls and valuation of said new

4 town, as fixed by the town valuation for the year of 1894
5 bears to the polls and valuation of the whole town of Cape
6 Elizabeth for that year, and shall continue to pay the same
7 proportion of the state and county taxes assessed upon the
8 present town of Cape Elizabeth, until a separate valuation
9 shall be made by the state assessors.

SECT. 4. All town property, real and personal, now
2 situated within the limits of said new town of Cape Eliza-
3 beth shall become the property of said town, and all per-
4 sons hereafter becoming chargeable as paupers shall be
5 chargeable to the new town of Cape Elizabeth or the
6 town of Elizabeth, according as their last settlement may
7 fall within the respective territories of said towns.

SECT. 5. Until a new apportionment of the State shall
2 be made, the towns of Cape Elizabeth and Elizabeth shall
3 constitute one representative district, and the inhabitants
4 of said towns shall vote at such polling places in their
5 respective towns as shall be established by law.

SECT. 6. Any justice of the peace in said town of Cape
2 Elizabeth, on petition of ten or more of its legal voters,
3 may call the first meeting of said town, by posting a warrant
4 therefor, stating the object of said meeting, in three public
5 and conspicuous places in said town, seven days at least
6 before the time of holding said meeting.

SECT. 7. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 20, 1895. }

Reported by Mr. MILLIKEN of Old Orchard, from the Committee on
Towns, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*