

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 26, 1840, and March 16, 1842.

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AUGUSTA:  
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1867.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1867.

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plete theoretical and practical business education of young men and women of our own state and of the United States; also all branches taught in other business colleges.

SECT. 4. This act shall take effect when approved by the governor.

Approved February 4, 1867.

## Chapter 215.

An act to incorporate the City of Saco.

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

SECT. 1. The inhabitants of the town of Saco, in the county of York, shall continue to be a body politic and corporate by the name of the City of Saco; 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 ordinances, by-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 debt, or on complaint before the municipal court in said city.

Corporate name.

Rights, powers, privileges, &c.

May ordain acts, laws and regulations.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, to be styled the mayor; and one council of seven, to be denominated the board of aldermen; and one council of fourteen, 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 Saco 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 Saco is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders, given by the city council, or

Fiscal, prudential and municipal affairs vested in mayor, aldermen and common council.

Powers of officers or agents to borrow money, limited.

CHAP. 215. any officer or agent thereof, for money or property obtained for any other purpose, shall be void.

**Duty of mayor.** SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws 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 and neglect of duty to be punished. He may call special meetings of the board

May call special meetings of aldermen and common council.

Communications and recommendations of, to them.

May appoint officers.

Shall preside in board of aldermen, &c.  
Salary.

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, and appoint annually such officers as he is required to by statute. He shall preside in the board of aldermen and in the joint meeting of the two boards, but shall only have 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 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.

May be elected to any city office, &c.

Aldermen and common council not to receive compensation.

Powers vested in mayor, aldermen and common council.

SECT. 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Saco, 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 fire-wards now have; shall define their duties, fix their compensation, and may, by concurrent vote,

Officers to be elected by joint ballot.

Election or appointment of subordinate officers, their duties and compensation.

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 until 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 and personal property 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 city 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.

City council to require bonds of person trusted with the receipt, custody or disbursement of money.

To have the care and custody of city property, &c.

To publish annually an account of receipts and expenditures.

Payment of money from treasury, &c.

SECT. 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 approves 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 reconsideration 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, and it shall be the duty of the mayor to sign any warrant necessary for the execution of such law, act, ordinance or bill, and in case of his refusal, such branches may order the treasurer to pay the same, and their order shall be a sufficient authority and voucher for the treasurer to pay the same.

Acts for the appropriation of money to be presented to the mayor for approval.

Proceedings in case he disapproves.

SECT. 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

City assessors, their appointment, powers, duties and liabilities. Assistant assessors.

CHAP. 215.

Assessment and collection of taxes.

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.

Power of city council to lay out streets, &c., and estimate damages.

SECT. 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 in said town or city, shall nevertheless be deemed to be legally located and established; *provided* that the county commissioners of York county shall have power to lay out, widen or otherwise alter or discontinue within said city, any part of any county road that has been or shall be by them laid out in any adjoining town or towns, passing thence into or through said city.

Remedy of persons aggrieved.

Power of co. commissioners to lay out roads within the city.

Side-walks.

SECT. 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, for hitching places and to protect said side-walks and the persons travelling thereon, from damage or inconvenience from teams or carriages, or for shade or ornament. 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, carriage, wagon or other vehicle, or any team or animal, striking against any of said side-walks, or the posts or trees set or placed there to defend the same or for the other purposes aforesaid; and they shall

Posts of stone or wood, or trees may be placed along the edge of side-walks.

City not liable for damages for injuries occasioned by reason thereof.

in no suit, prosecution or proceeding, be regarded as an obstruction, or construed as in any way rendering the way or street defective, so as to make the city in any way or manner liable for injuries or damage resulting in whole or in part therefrom to any person whatever either in his person or property. 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.

SECT. 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 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.

City council may authorize the placing of materials in any street for certain purposes.

Proviso.

Not liable for any damage occasioned thereby.

SECT. 10. All the laws and regulations now in force in said town, shall, notwithstanding this act, be and remain in force until they shall 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.

Laws and regulations now in force to remain, &c.

SECT. 11. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman and two 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 for 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 two of this act.

Election of mayor aldermen and common councilmen.  
Tenure of office.

SECT. 12. The mayor shall appoint a city marshal, 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 direction of the mayor, as may be adopted by the city council for

City marshal to be appointed by mayor.  
Powers and duties of.



## CHAP. 215.

Appointments heretofore authorized to be made in cities, may be made by mayor with consent of council, &c.

Selectmen to cause division of Saco into seven wards, and appoint warden to preside at first meeting.

Government, how organized and put in operation.

Proceedings in election, &c.

Ward lists to be prepared by the selectmen.

Election of city clerk and other officers.

When city council shall organize government.

Annual elections, &c.

the government of the city of Saco; and in all cases where appointments to office have heretofore been directed or authorized to be made by the mayor and aldermen of cities, the mayor shall make such appointments in the city of Saco, by and with the advice and consent of the aldermen, and such officers may be removed by him with their concurrence.

SECT. 13. It shall be the duty of the selectmen of the town of Saco, as soon as may be, after this act shall have been accepted, as hereinafter provided, to cause a division of said town to be made into 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 appoint a warden to preside at the first meeting until a warden is elected.

SECT. 14. 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 second Monday of March, next after the acceptance of this charter, issue their warrants for calling meetings of the said citizens at such place and hour upon said day, as they shall think expedient, for the purpose of choosing a warden and clerk for each ward, and also to give their votes for a mayor to be taken from the city at large, and one alderman and two common councilmen, and one constable, for each ward; the transcript of the records of each ward, specifying the votes given for mayor, one alderman and two common councilmen, and one constable, certified by the warden and clerk of such ward, shall at said first election, be returned to the said selectmen of the said town of Saco, whose duty it shall be to examine and compare the same; and in case said election shall not be completed at the first election, then to issue a new warrant, until such election shall be completed according to the provisions of this act; and to give notice thereof to the several persons elected; and at said meeting a list of voters in each ward, prepared and corrected by the selectmen of the town of Saco for the time being, shall be delivered to the clerk of each ward when elected, to be used as provided by the law in town meetings; 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 the city council shall on the seventh day after the day of their election, meet at ten of the clock in the forenoon, at the Town Hall in said Saco, and organize the city government in the manner provided in the following section.

SECT. 15. On the first Monday of March, annually, after the first election, the qualified electors of each ward shall ballot for a mayor, one alderman and two common councilmen, warden, clerk

and constable; 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 aldermen 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 aldermen and common councilmen cannot be conveniently 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 councilman, 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 continue 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 hereinbefore 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 clerk.

CHAP. 215.

Votes.

Ward clerk to deliver certificates of election and copy of the record of election.

Proviso in case of no choice on the first day.

Mayor elect, how notified.

Regulations for subsequent meetings in case of no choice of mayor.

Vacancies.

Oaths.

## CHAP. 215.

City clerk to be clerk of the board of aldermen. His duties. Shall give notice of regular ward meetings. Ward meetings, how fixed. President pro tem. in absence of mayor.

A majority of members to constitute a quorum. Powers of presiding officers.

Votes when to be taken by yeas and nays.

City council may make regulations for measurement and sale of wood and bark.

Ordinances regulating or forbidding erection of wooden buildings.

—and for the regulation of carts, drays, &c.

Powers of school districts vested in aldermen and common council.

SECT. 16. 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 powers by law incumbent upon, or vested in, the town clerk of the town of Saco; 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.

SECT. 17. 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.

SECT. 18. 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.

SECT. 19. 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.

SECT. 20. All the power and authority vested in the inhabitants of any school district in the city of Saco, 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 aforesaid, and they are authorized to consolidate the school districts of said city, arrange all the affairs of the same as one district, and also when such consolidation shall take place, to assume the debts and liabilities of the several districts, and to provide for them in the same manner as if the debt were contracted by the city.

SECT. 21. The city council of Saco may require the owner of any lot of ground fronting on any street or way in said city, to cause the foot-way or side-walks in front of said lot to be paved with brick or flat stones, with suitable curbstones or to be covered with plank or other suitable materials, as they may deem proper, the same to be done under the direction and to the approbation of the committee on streets. If the owner of such lot shall refuse or neglect to pave or cover such side-walk or foot-way to the satisfaction of said committee, for the space of twenty days after he or the tenant of such lot shall have been thereto required by the commissioner of streets, it shall then be the duty of said commissioner to procure the same to be done, and the city shall have a lien on the property for expenses thereof, to be enforced as in the following section. The city council, before requiring any such side-walk or foot-way to be so paved or covered, shall, by a general ordinance, assume a portion of said expense to an amount not less than one-third thereof, to be paid by the city, in money or materials.

CHAP. 215.  
Owners of lots  
land required  
to construct  
side-walks.

At least one-  
third of expense  
of side-walks to  
be paid by city.

SECT. 22. The city council of said city may lay out, make, maintain and repair all main drains or common sewers in said city, and the mayor and aldermen may assess upon the owners of the abutting lots, and other lots benefited thereby, and who shall enter the same directly or indirectly, a proportional part of the charge of making and keeping in repair such main drain or common sewer, to be ascertained and assessed by the mayor and aldermen of said city, and by them certified, after notice given thereof, in writing, to the party to be charged, or by advertisement for seven days in at least one newspaper in said city; but not less than a third part of the cost of making and repairing such main drain or common sewer shall be paid by the city, and not more than two-thirds of the same shall be charged to the abutters; and in case the mayor and aldermen shall adjudge any lot of land, situated so as to be connected with any main drain or common sewer so constructed, to require drainage, in order to preserve or promote the health or welfare of the city, it shall be competent for them to give reasonable notice thereof to the owner of such lot, who shall cause the same to be drained according as the mayor and aldermen shall direct; and on failure of such owner to comply with such order, they may cause the same to be so drained, and assess the cost of such drainage upon the owner of such lot. If the owner of any lot thus directed to be drained deems such order unreasonable, he may appeal to the county commissioners, and their decision in such cases shall be final; and the cost of such appeal shall be borne by the party making the appeal if the order of the city council is sustained, otherwise by the city. All assessments made under the provisions of this section shall constitute a lien on the real estate

City council  
may lay out,  
make, maintain  
and repair  
drains and  
common sewers.  
Assessments  
therefor, how  
made.

One-third of  
expense at  
least to be paid  
by city.

Drainage of  
lots connected  
with main  
drain, how  
regulated.

CHAP. 215.

so assessed for two years after they are laid. They shall be certified by the mayor and aldermen, under their hands, to the treasurer and collector of said city, and his successors, with directions to collect the same according to law, and may, with all incidental costs and expenses, be levied by sale of the real estate, by him or them, if the assessment is not paid within three months after a written demand of payment made by him or them either upon the persons assessed or their agent, or in case neither can be found in said city, upon any person occupying the estate, such sale to be conducted in like manner as sales for non-payment of taxes on land of resident owners, and with a similar right of redemption. Any person who may feel himself aggrieved by any such assessment, may appeal to the county commissioners, and their decision as to the sum which the appellant should pay shall be final; and in case the assessment made as aforesaid, shall not be reduced on such appeal, the city shall recover costs, but otherwise shall pay costs. Any person who shall directly or indirectly enter such main drain or common sewer, without first obtaining a permit from the mayor therefor, shall be subject to a fine not exceeding one hundred dollars.

Penalty for entering main drain without permit.

General meetings of citizens authorized.

SECT. 23. General meetings of the citizens qualified to vote in city affairs may, from to time, be held to consult upon the public good, to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people of the state by the constitution of this state; and such meeting shall be duly warned by the mayor and aldermen, upon request of fifty qualified voters. The city clerk shall act as clerk of such meeting, and record the proceedings upon the city records.

Such meetings, how warned. Duty of city clerks.

This act to take effect when accepted by inhabitants.

SECT. 24. 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* that it shall be accepted within five years from the passage of this act; but not 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 written ballot; those in favor of accepting this act having on their 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 Saco, 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.

Proviso.

Vote of inhabitants, how taken, &c.

SECT. 25. 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.

CHAP. 216.  
Inconsistent  
acts repealed.

SECT. 26. This act shall take effect when approved by the governor, so far as to authorize its submission to the legal voters of the town of Saco in the manner prescribed in section twenty-four, and when accepted by said voters shall be in full force and effect.

This act, when  
to take effect.

Approved February 5, 1867.

### Chapter 216.

An act to incorporate the Houlton Branch Railroad Company.

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

SECT. 1. James C. Madigan, George B. Page, Ebenezer Woodbury, Leonard Pierce, Rufus Mansur, Benjamin L. Staples, A. P. Heywood, Charles P. Tenney, S. H. Hussey, Almon H. Fogg, Theodore Carey, Francis Barnes and Charles M. Herrin, their associates, successors and assigns, are hereby made and constituted a body politic and corporate, by the name of the Houlton Branch Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall enjoy all proper remedies at law or in equity, to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties herein-after granted, and to prevent all invasion thereof, or interruption in exercising and performing the same. And the said corporation is hereby authorized and empowered to locate and construct, and finally complete, alter and keep in repair, a railroad, with one or more sets of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains, and all other necessary appendages, from some point in the town of Houlton to some point on the east line of the state. And said corporation shall be and hereby is invested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as herein set forth. And for this purpose, said corporation shall have the right to take and hold, or to purchase, so much of the land and other real estate of private persons and corporations as may be necessary for the location, construction and convenient operation of said railroad; and shall also have the right to take, remove and use, for the construction and repair of said road and appurtenances, any earth, gravel, stone, timber or other materials, on or from the land so taken; *provided however*, the land so taken shall not exceed six rods in width, except where

Corporators.

Name, powers,  
duties, &c.

Purpose and  
location.

Rights as to  
lands, &c., for  
construction of  
road.

Limit of width .