1867

Annual Report of the Superintending School Committee of the City of Saco for the Year Ending March 16, 1867

Saco (Me.)

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ANNUAL REPORT

OF THE

SUPERINTENDING SCHOOL COMMITTEE

OF

THE CITY OF SACO,

FOR THE

YEAR ENDING MARCH 16, 1867.

J. E. BUTLER, PRINTER.
1867.
To the Honorable Mayor and City Council:

In compliance with the requisitions of law we pause to review our labors, to note the progress and advancement of our schools for another year, and to make such comment and suggestions on their condition as our duty may seem to require.

To all the varied interests committed to our care we have designed to be faithful to the best of our ability, and we trust our efforts have not been entirely without good results. We were not a little embarrassed in the early part of the year by having many duties thrust upon us which we had not anticipated; caused by the absence of the Chairman of the Board, the Rev. J. M. Bailey. Yet, by the aid of wise counsel, we have managed to keep the machinery in good working order.

In submitting this Report we shall depart somewhat from customary usage in our town, and omit referring to each school and each teacher separately; and make such general remarks as can be profitably applied by other individuals. Our reason for this can be given in few words. Repetitions are often obnoxious, even of truths or merits; and a fault, however varnished, never became a virtue. We think personal consultation with teachers and agents far better than parading them individually before the public.

SCHOOL MONEY.

The amount of school money raised by the town for the year 1866 was $6000.00. The amount received from the State $153.54, making a total of $6153.54. This, being properly apportioned, gave to each scholar in town the sum of $3.23, yet scarcely enough to keep our schools in successful operation. The amount received from the State has decreased about $600.00 within a few years, rendering it necessary that the city should appropriate a much larger sum, especially as another Primary School is much needed in District No. 1.

SCHOOL HOUSES.

In regard to our schools—many of them are comfortable, though some are far from being wisely adapted to their purpose. If in particular
instances some have not a little indication of neglect and dilapidation, they at most have not that appearance of neatness and taste to render them inviting. Some of them are in forbidding localities, having little around them to interest or attract scholars. Among the houses of this character we may mention those in Districts No. 6, 7, 8, and 9, also the one on Pleasant street in District No. 1. Each of these has the appearance more or less of desolation outside and in. In one we find the old fashioned long seats, and in all, seats uncomfortable and ill proportioned, bearing oftener the marks of the jack-knife than the painter’s brush. Most of these are too small and entirely without proper recitation seats. In District No. 8, we noticed particularly that many of the scholars were compelled to change their seats in order to give others a chance to recite, and even then the class could not be arranged with any degree of regularity. This must cause much confusion and delay. The school-house on Pleasant street is not an ornament to the city or an honor to the District, and we hope the time is not far distant when a better building in a more suitable locality will be provided. Another fact worthy of your consideration—our schoolhouses are not properly ventilated. Upon many of your barns are costly cupolas for ventilation, but none upon your schoolhouses. Are your cattle and hay of more value than your children? On visiting our school-rooms, one is often painfully conscious of the disobedience to the great physical law of our being, in the pale and spiritless countenances he there beholds, sure indications of a lack of sufficient exercise in the sunlight and air, combined with imperfect ventilation and defective apparatus for heating. Let every school-room, then, be properly and thoroughly ventilated in the most approved manner.

GENERAL CONDITION OF OUR SCHOOLS.

Most of our schools are highly satisfactory, yet in comparing the past with the present the oft repeated words progress and proficiency are not in every case applicable. That there are many better schools in town than we ever had before no one will deny, but, that all are what the times and what the money expended on them demand, we will not affirm.

AGENTS.

The office of School Agent is no ordinary one. They are invested with authority to employ teachers for their respective districts. This authority should not be abused by the employment of teachers destitute of intellectual or moral qualifications. As a rule those who have scholars to attend school are best qualified for agents. They are generally more interested in schools, and will exert themselves more to get good teachers. In order
to obtain the best teachers it will not answer to wait for some one to come round, but the agent must look about him early before the best are engaged. This would also assist the committee to have set days for examinations of teachers as the law provides. We would recommend that no teacher be employed who will not present himself for examination at least one month before the school is to commence, unless there is undoubted proof that he can pass the ordeal to the entire satisfaction of all.

PARENTAL CO-OPERATION.

Parents do not take enough interest in the progress of our schools. If they were asked; Do you feel an interest in the education of your children? The unanimous answer would be, yes. But it is often said, "Actions speak plainer than words." Now if a High-way Surveyor is to be chosen, hundreds will be at the election; but if a school-meeting is called on a certain day, scarcely a quorum will be present. If one has a nice colt or promising calf out to pasture, it can be visited two or three times a week; but children are sent to school year after year, and yet parents never see the inside of the school room. A feat of jugglery is to be performed on a certain night; "Tickets of Admission Fifty Cents," patrons are not wanting, yet intellectual feats of every day occurrence by our own children in our schools, are seldom witnessed, though no admission fee is required. We have not seen during the past year a parent in any of our schools, and have heard of only a few having been there. When parents join in the sports of their children what a new life it enkindles! Is not the same law good in respect to their studies? What teacher does not know the salutary effect of a mother's visit to the school, and the worth of an encouraging word from a father?

TEACHERS.

We have had the good fortune during the past year to have our schools committed to the hands of experienced teachers, a raw recruit being the exception rather than the rule. The teachers are for the most part residents of our city with whom your committee and our fellow citizens are more or less acquainted, and with us it awakens an exultant thought that there are so many of our fellow townsmen to whom we can intrust our dearest interests—even the education of our children. That being a resident of Saco, or having years of experience makes of necessity the best teacher, we will not pretend to argue, and we have no doubt a teacher from our State Normal School might excite a new interest in some of our districts and accomplish highly beneficial results. Teachers (so called)
have been for a long time a very common commodity. They may be arranged in two classes, permanent and temporary. The first includes those who make teaching a profession, the second all others, those who never taught before and never intend to again; those who have taught before but never intend to again, if they can get anything else to do, and those who make teaching a kind of stepping stone to some other employment or profession. The school room is the place for the former class, all things being equal. As to the latter we can do no better than to quote from another: "The Public School is the last place and the mind of a child the last material with which quacks or adventurers may coarsely experiment with any degree of propriety or safety." Alas! how many there are who enter the profession of teaching without the exercise of a single thought upon the responsibility of the position.

**IRREGULAR ATTENDANCE.**

The subject of irregular attendance, we are aware has been the burden of many school reports, and yet it is a topic which continually stands a reproach to our school system. This is a subject which has received the attention of school officers in every community, but we are yet to learn the remedy. The frequent absence of any pupil from school is not only an injury to himself, but an injustice to his class and a drawback upon the whole school. It must be apparent to all that much of this absence is the result of carelessness and neglect on the part of parents, rather than any real necessity, and to the parents, therefore, we must look for its correction. Under our present system of classification in the schools, no scholar can be absent from any recitation without, in some degree, affecting his standing in the class. The march is onward, and those who do not keep step to the music must certainly fall behind. Education has often been compared to the building of a structure. What would you think of a man who would build a brick building and leave out every third, fourth or fifth brick? Yet, if we compare bricks to days, such folly may be observed in our educational structure. We have inserted a table of statistics to which we would call your attention. It will be perceived that the average attendance is less than two-fifths of the whole number of scholars in District No. 1, and the same is true of the other districts. Also, that only 73 per cent of those registered attend school on an average. We also insert the names of such scholars in the different schools as have not been absent for one or more terms during the past year. We ask the aid of all, both old and young, in our efforts to increase the per cent. of attendance and our list of names.
TARDINESS.

Tardiness is another evil of but little less magnitude than the one to which we have already alluded. Promptness is an invaluable trait not only to individuals but to the whole community. This quality is not in-nate, but grows from early training; and what man can be prompt whose youth has been spent in loitering? Teachers can do much toward removing this evil, and we think our teachers are doing much in that direction, both by precept and example.

DISMISSIONS.

There is still another fault akin to those already named. We refer to that of dismissions. Parents often grant their children written requests to be dismissed at the asking, without stopping to ascertain what for, or thinking of the consequences, and think that the teacher has undue audacity to question its binding force. The real reason, in many cases, why the child wished to go home, was to evade a hard lesson — and doubly important because hard; or it may be to avoid being kept after school to make up for a poor lesson, or to answer for some bad behavior. Yet the request must be granted or there is a complaint entered at once. Now we believe that no scholar should be dismissed before the close of any school session except in case of sickness or some unavoidable cause. What teacher has not had his ideas of parental co-operation tested by reading a request from some kind parent, and on asking the little boy "What for?" receiving the answer, "I don't know," or "To get a barrel of shavings," or "To saw up my night's wood," or "To go down town."

Ah! School time is too sacred to be trifled with in these ways; and we ask you, fellow citizens and kind parents, to consider well the matter, and, if you do, we feel assured you will apply the remedy.

*We cannot better close our remarks upon these topics — absences, tardiness and dismissions,— than to copy some remarks upon the "Street School" to which all these either directly or indirectly lead. Says a distinguished man of Massachusetts, who has spent most of his life in the school room:— "The Street School affords the most undesirable and mischievous instruction. So manifestly bad that one cannot but wonder that continued and effective effort is not steadily put forth by parents and guardians to lessen the attendance thereon, and to inspire children with so wholesome a dread of it that they will only frequent it as necessity requires in passing through it on their way to and from school. If you wish your child to be entered as a Street Scholar, all you have to do is to let him alone. Take no care about his company. Never rebuke him for
coming late from school or from errands. Do not trouble yourself about
the way he passes his evenings. Never mind what time he comes home
at night. Especially do not trouble yourself about sending him to Sunday
School. But the Street School is expensive. The price is not paid in ad-

vance, or in ready money, but is sure to be demanded with heavy interest.
The payment to conscience, loss of character, after the loss of health
and sometimes the loss of soul." Whether these words tell of things ide-

al or real, our community affords sad examples. We have furnished our
State's Prison with, at least, three subjects from the almost juvenile por-
tion of our town, within a very brief space of time; and whether they
were from our common school or our street school, any casual observer
may know. The course of education in the street school is profanity, foul
talk, licentiousness, profligacy, intemperance, theft, and the whole cata-
logue of crimes.

READING.

The reading in most of our schools in the village is admirable, and will
even challenge competition, but we cannot say as much of those out of
the village, excepting a few scholars, here and there. There are several
reasons for this. First, there is a general disposition among the scholars
to get into a reader above their capacity. Second, the old but erroneous
practice of reading four times each day. There is no more reason for
reading four times each day than for reciting four times in grammar or
arithmetic. Let the proper text book be procured, and short lessons as-
signed and well studied; then read until the pronunciation, inflection, and
emphasis can be properly given. Teachers should read each lesson to the
class, when assigned, thus teaching by example. Those who cannot read
intelligently, will not, as a general thing, study profitably, think correct-
ly, express their thoughts clearly, or reason logically.

SPELLING.

Spelling as well as reading is a fundamental branch in an educational
course. Spelling should not only be taught orally, but in all our schools
those who can write legibly should be required to write their spelling les-
sions. There are many who can spell most words orally, but when
brought to the true test, cannot write a single page without showing most
painfully their want of a practical knowledge of orthography. In several
of our schools written spelling has been pursued with profit, but in some
of the districts out of the village the scholars have shown by their disin-
cination to this exercise, that they deemed spelling of minor importance.
WRITING.

Should we refer to any one branch neglected above all others in our schools, we should select that of writing. In but one school during the year, though we have invariably urged it upon teachers and scholars, have we seen a commendable proficiency in writing. Various reasons present themselves. Want of time, want of good copy books, pens, ink, &c., are the reasons usually uppermost. Want of interest, and lack of system are too often the real hindrance. Pupils should be supplied with uniform copy books, and have two or three exercises each week during their entire school course. This is needful to the complete training of the muscles that move the pen. Careless scribbling should never be indulged in, but a precise uniformity should distinguish every letter and word written. "In haste" is a poor apology for bad writing or bad spelling.

ARITHMETIC.

Scholars generally love to "cipher" and no doubt there is true discipline in the exercise. But too many of our scholars cipher by some unmeaning rule. In the solution of their problems, the why and wherefore bring out no answers. Rules, though often having labor saving use, are trifling things compared with principles, and when the latter are well understood and defined the former become intelligible and at the same time worthless. Strict mathematical analysis in some of our schools is carried to perfection, but we should be happy to see it more general, especially in schools out of the village, and the sooner it is adopted the sooner we shall have our children fitted for practical business calculations. Algebra has too often crowded out Colburn. Mental arithmetic we deem the most important. This most quickening study is much neglected. By some teachers and scholars it is looked down upon rather than up to and into, and is considered well enough for very young children, but altogether beneath the masters and misses, who have arrived at the dignity of using slate and pencil. Better exclude every treatise upon written arithmetic and algebra from our schools, than neglect the frequent drill in mental arithmetic. It not only induces habits of correct and rapid reasoning, but is most frequently used in the business transactions of life.

GEOGRAPHY.

Most scholars are fond of the study of geography. But upon the question, how much it disciplines the mind to commit lesson after lesson simply for the purpose of reciting, there should be but little difference of opinion. A pupil may give the names of all the rivers in China and States of Germany, yet be unable to bound the town in which he lives. Pupils may learn
many names, yet be rather empty of ideas. This study should be made doubly interesting, by the introduction of map drawing, and the use of outline maps and globes. The teacher should illustrate the natural, political, and mathematical divisions of the earth, and the phenomena produced by its motions. As much as possible, the prominent historical events connected with any town or country should be brought up while the pupils are studying the geography of those places. In this way more real knowledge may be communicated with two or three incidental questions as a text, than by repeating as many pages of printed questions and answers from the text book.

GRAMMAR.

To many children this is a hard, distasteful study. Analysis of human thought requires considerable maturity of mind, therefore but little progress can be made in this study before the child is eleven or twelve years of age. In this important branch of study there is not that degree of attainment your committee would like to see. We find in the districts out of the village, now and then, an individual scholar or even a class that is quite well advanced, but many of our scholars, who have ciphered through Cube Root, have little or no knowledge of the true principles of grammar.

It is not enough that a person can speak with comparative correctness, he should know how to write, and more — he should know the power and relation of words, and the use of language. Grammar is one of the best studies for disciplining the mind. Says a distinguished author: “This study embraces the most profound depths of intellectual philosophy, requiring deep penetration of mind and keen powers of discrimination to develop the understanding and make a critical application of it.” The ill success of many teachers may have been the want of suitable text books. But allowing this argument all reasonable force, there must be some want on the part of teachers themselves. Composition should be constantly practiced as a part of grammar; for without it no high degree of attainment can be realized.

BOOK-KEEPING.

We are happy to say that this important branch is gradually gaining a place among the studies in our schools, and we hope it will soon receive that attention its importance deserves. A learned judge said, “At least, one fourth of the cases which come before the courts might be avoided, if the community at large had a knowledge of book-keeping, and would put it in practice.” And when we consider how few keep a regular set of account books and how many quarrels and criminations arise from this neglect, we only wonder that this study has not become more general.
PRIMARY SCHOOLS.

Our Primary schools, those nurseries of education which we cannot regard with too much attention, are as a whole in a very satisfactory condition. But this class of schools does not receive the attention which its importance demands and which it justly deserves. It has been truly said that a work well begun is half done — that ends are made up of beginnings — that life's results take shape and character from earliest impressions; and with equal truthfulness we may assert that the habits formed at the Primary School go with the scholar through every succeeding stage of his education, retarding every step or helping him to surmount every obstacle in his pathway with ease and rapidity. To render these schools more efficient, and also for the smaller scholars in our mixed schools, we would recommend daily slate exercises. The scholars should be taught to write script, to draw lines, angles, &c., and to write numbers both in Arabic and Roman characters, the pupils copying from the charts and books, or following instructions of the teacher on the black-board. No pains should be spared to secure neatness and correctness in these exercises. Our State Superintendent of Schools recommends that no more than thirty scholars should be assigned to each teacher in this grade of schools, but by reference to the table of statistics it will be perceived that nearly, and sometimes more than double that number are assigned to ours. We would recommend, therefore, to your earliest consideration the importance of establishing another Primary School in District No. 1.

HIGH SCHOOL.

Notwithstanding our statement at the outset, that we should not refer to each school separately, we ask indulgence in a partial digression, as regards our High School, not intending, however, to follow customary usage, and call out its teacher, the number and nature of its advanced studies, its relations to the lower schools, and the many advantages enjoyed by its pupils, but the more general advantages such an institution affords the community at large. We would remind you that its influences extend far beyond those under its immediate discipline. The whole community is affected by it. This may not be apparent at first, but in the course of years it must be sensibly felt and appreciated. Says another, "A higher appreciation of the aims and objects of education, a more general desire for reading and study, a more elevated taste, a higher tone and purer style of conversation, a social life elevated and refined by all these combined, mark the existence of high literary institutions." Is it too much to expect that, sooner or later, such results will follow the successful opera-
tion of a High School? That the study of the higher mathematics induces a taste for the cultivation of science, and that the study of the languages enables one to better understand the philosophy of our own language, no intelligent mind can deny, and, consequently, the argument that the studies pursued in the High School are "mere accomplishments" of no practical value, is simply absurd. The times demand a high standard of intellectual training, and this grade of the common school is established to meet that demand. We desire that its fullest benefits may be realized — that a larger number of names may be upon its register — that parents would more fully appreciate its intrinsic value.

In order that a deeper interest might be felt in this school, and its advantages be still more enlarged, at the commencement of the present school year, we partially adopted a course of study which the wants of the school seemed to demand, hoping that the arrangement, in due time, might be fully perfected. This has been attended with good results. We recommend that two courses of study be adopted, one comprising the English branches only, the other the English and Classics; and that every scholar entering this school, elect which course he will pursue, and when so elected, not to be permitted to change during one year, at least. The need of suitable apparatus has several times been urged upon you, and we hope it may not be necessary to again repeat the request. We would suggest the propriety of making an effort to unite this school with the Thornton Academy Fund, Saco Atheneum, and York Institute, and erecting a suitable building for their accommodation, which would be an honor and an ornament to our city.

We might refer to other studies, and other important subjects connected with our schools, but we here submit these reflections, commending them to your careful deliberations. We would say, in conclusion, let the Public School be cherished as an institution of inestimable value; as the corner stone in the fabric of free government; as the safe-guard of our liberties; as the hand-maid of Christianity.

Respectfully submitted,

M. J. HAINES, \ Sup'r School Com.
IVORY MASON, \ of Saco.
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</tbody>
</table>
Names of Scholars
WHO WERE NOT ABSENT DURING ONE OR MORE TERMS.

The most of these scholars, also rank first in scholarship and deportment, as well as in attendance.

HIGH SCHOOL.

George L. Mason, 2 terms.
Maggie K. Chase, 1 "
Angie L. Nickerson, 1 "

GRAMMAR SCHOOL.

George L. Mason, 3 years.
J. Matthew Hawks, 7 terms.
Benjamin Wheeler, 2 "
Mary A. Littlefield, 2 "
Nellie Jordan, 2 "
Wilford Comstock, 2 "
Lelia Kendrick, 1 "
Frederic Bradbury, 1 "
Henry Nichols, 1 "
Lulie Kimball, 1 "
Hattie Lewis, 1 "
James Mahoney, 1 "
Clara A. Nutter, 1 "
Isabel Dalton, 1 "
Ella F. Freeman, 1 "
Emma Stimson, 1 "
Harry Pike, 1 "
Julia Sawyer, 1 "
Oren Sawyer, 1 "
Mabel Stone, 1 "
Mary Warren, 1 "
Addie Thomson, 1 "

INTERMEDIATE SCHOOLS.

MIDDLE STREET.

Lizzie Sands, 1 Term.
Lizzie Bradbury, 1 "
Edgar Nichols, 1 "
Fannie Patten, 1 "
### PLEASANT STREET.

<table>
<thead>
<tr>
<th>Name</th>
<th>Term</th>
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</thead>
<tbody>
<tr>
<td>Ella Smith</td>
<td>1</td>
</tr>
<tr>
<td>Ida Russell</td>
<td>2</td>
</tr>
<tr>
<td>Celia Foss</td>
<td>1</td>
</tr>
<tr>
<td>William Foss</td>
<td>1</td>
</tr>
<tr>
<td>William Maybury</td>
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### GREEN STREET.

<table>
<thead>
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<tr>
<td>Georgietta Scamman</td>
<td>1</td>
</tr>
<tr>
<td>Trancetta Weston</td>
<td>1</td>
</tr>
<tr>
<td>Mary Warren</td>
<td>1</td>
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<tr>
<td>Allie Warren</td>
<td>1</td>
</tr>
<tr>
<td>Nellie Tuttle</td>
<td>1</td>
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<tr>
<td>Frederic McQuestion</td>
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### PRIMARY SCHOOLS.

### MIDDLE STREET.

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<thead>
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<tr>
<td>Herbert Jordan</td>
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<tr>
<td>Frederic Towle</td>
<td>2</td>
</tr>
<tr>
<td>John F. Parker</td>
<td>2</td>
</tr>
<tr>
<td>Hattie Haines</td>
<td>1</td>
</tr>
<tr>
<td>Irving Goodrich</td>
<td>1</td>
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<tr>
<td>George Mahony</td>
<td>1</td>
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### PLEASANT STREET.

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<thead>
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<tr>
<td>Henry Goshen</td>
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<tr>
<td>Harriet J. Montgomery</td>
<td>1</td>
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<tr>
<td>Charles J. Russell</td>
<td>1</td>
</tr>
<tr>
<td>Herbert F. Gowdy</td>
<td>1</td>
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<tr>
<td>George A. Foss</td>
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### COMMON — MISS GOWEN.

<table>
<thead>
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<tr>
<td>Frederic Brown</td>
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<tr>
<td>Clara Gowen</td>
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<tr>
<td>Daniel McCollock</td>
<td>2</td>
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<td>Eddie Littlefield</td>
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### COMMON — MISS RUMERY.

<table>
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<tr>
<td>Luella Hight</td>
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<td>Hattie Brown</td>
<td>1</td>
</tr>
<tr>
<td>Benjamin Sands</td>
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### GREEN STREET — MISS NOWELL.

None.
<table>
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<th>District</th>
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<tr>
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<tr>
<td></td>
<td>Nellie Buker</td>
<td>1 Term.</td>
</tr>
<tr>
<td></td>
<td>Joseph Eames</td>
<td>1 “</td>
</tr>
<tr>
<td></td>
<td>Anna Burnham</td>
<td>1 “</td>
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<tr>
<td><strong>BOOM ROAD.</strong></td>
<td>Nellie Lord</td>
<td>2 Terms.</td>
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<tr>
<td></td>
<td>Myra Deering</td>
<td>1 “</td>
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<tr>
<td><strong>BUXTON ROAD</strong></td>
<td>Mary T. Allen</td>
<td>1 Term.</td>
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<tr>
<td></td>
<td>Warren W. Carter</td>
<td>1 “</td>
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<tr>
<td><strong>PORTLAND ROAD.</strong></td>
<td>None.</td>
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<tr>
<td><strong>DISTRICT NO. 2 — FERRY.</strong></td>
<td>None.</td>
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<tr>
<td><strong>DISTRICT NO. 3 — OLD ORCHARD.</strong></td>
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<td><strong>DISTRICT NO. 4 — DYER.</strong></td>
<td>None.</td>
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<tr>
<td><strong>DISTRICT NO. 5 — SAWYER.</strong></td>
<td>Herbert Hill</td>
<td>1 Term.</td>
</tr>
<tr>
<td></td>
<td>Elmer Sawyer</td>
<td>1 “</td>
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<tr>
<td></td>
<td>Frederic Sawyer</td>
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<td></td>
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<tr>
<td></td>
<td>Isaac Fuller</td>
<td>1 “</td>
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<tr>
<td><strong>DISTRICT NO. 6 — NONSUCH.</strong></td>
<td>John McKenney</td>
<td>2 Terms.</td>
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<td></td>
<td>Herbert McKenney</td>
<td>1 “</td>
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<td></td>
<td>George D. Burnham</td>
<td>1 “</td>
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<tr>
<td></td>
<td>Frank D. Lowell</td>
<td>1 “</td>
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<tr>
<td></td>
<td>Lizzie Watson</td>
<td>1 “</td>
</tr>
<tr>
<td></td>
<td>Mary Wood</td>
<td>1 “</td>
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<tr>
<td><strong>DISTRICT NO. 7 — LOUDON.</strong></td>
<td>No Registers</td>
<td></td>
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<tr>
<td><strong>DISTRICT NO. 8.</strong></td>
<td>Llewellyn B. Taylor</td>
<td>1 Term.</td>
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</tbody>
</table>
DISTRICT NO. 9 — SANDY BROOK.

Mary L. Sawyer, 1 Term.
Daniel J. Cluff, 1 "
Frank Grace, 1 "
Luther Berry, 1 "

The following were the names of the agents and teachers in the several districts.

DISTRICT NO. 1.

ENOCH C. JORDAN,
DORANCE LITTLEFIELD,
MOSES J. HAINES.

Agents.

High School, William Hobson, Teacher.
Grammar School, Willis Mason, Teacher.
Jos'e M. Sumner, Assistant.

Int. School, Middle St., Mrs. Harriet N. Nowell, Teacher.
" Pleasant St., Miss Ellen N. Mason, "
" " " " Hattie Chase, "
" " " " Julia P. Jordan, "
" " " " Frances M. Peavy, "
" " " " Dorcas A. Sawyer, "
" " " " Sara H. Nowell, "
" " " " Lizzie Deering "

Prim. School, 1st Grade, Com., Miss S. L. Gowen, Teacher.
" 2d " " " " " " L. A Rumery "
" 1st " " Green St., " Sara H. Nowell, "
" " " " " " " Lydiam. Chadwick, "
" 2d " " " " " " Ellen S. Hill, "
" " " " " " " Angie Deering, "
" " Pleasant St., " Amanda Stevens, "
" " Middle " " A. E. Arkins, "
Mix'd " Boom Road, " Ellen Parker, "
" Buxton Road, " Clara W. Smith, "
" Portland Road, " Addie Small, "

DISTRICT NO. 2 — FERRY.

ISAAC MARSHALL, — Agent.

Summer Term, Diana R. Boothby, Teacher.
Winter " Horace B. Stuart, "


DISTRICT NO. 3 — OLD ORCHARD.

WILLIAM D. GUILFORD, — Agent.

Summer Term, Delia A. Googins, Teacher,
Winter “ Ira C. Doe, “

DISTRICT NO. 4 — DYER.

ISAAC P. MILLIKEN, — Agent.

Summer Term, Olivia E. Stuart, Teacher,
Winter “ George P. McKenney, “

DISTRICT NO. 5 — SAwyER.

JOHN LOWELL, — Agent.

Summer Term, Myra F. Milliken, Teacher.
Winter “ John T. Cram, “

DISTRICT NO. 6 — NONSUCH.

STEPHEN WATSON, — Agent.

Summer Term, Lydia Seavey, Teacher.
Winter “ Frank R. Milliken, “

DISTRICT NO. 7 — LOUDON.

FRANK FOSS, — Agent.

Summer Term, Hannah Fogg, Teacher.
Winter “ E. M. Haines, “

DISTRICT NO. 8 — PARChER.

GEORGE RICKER, — Agent.

Summer Term, Martha A. Taylor, Teacher
Winter “ J. F. Brackett, “

DISTRICT NO. 9 — SANDY BROOK.

SETH BERRY, — Agent.

Summer Term, Mary E. Harmon, Teacher.
Winter “ Henry Simpson, “
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**ERRATA.**

Total expenditures on "Road by Tuttle's" — page 5 — should read $276.83, leaving a balance of $224.00.

"Highway account" on page 6 should read $2,269.25, instead of $1,125.25.

"Appropriations,"—night watch and police, p. 9 should read $1,500 instead of $1,000.

On pp. 87-88 the $ character before the figures of "Total rate" should have been omitted.

Cr. account of David Tuxbury, Collector, page 103, should be dated 1866 instead of 1867.
THE CHARTER
AND
ORDINANCES
OF THE
CITY OF SACO,
TOGETHER WITH THE ACT ESTABLISHING
THE MUNICIPAL COURT.
ALSO THE
RULES AND ORDERS OF THE CITY COUNCIL,
WITH A LIST OF
OFFICERS FOR 1867,
AND THE
ADDRESS OF THE MAYOR
AT THE ORGANIZATION OF
THE CITY GOVERNMENT.

BIDDEFORD, ME:
Printed by Butler & Place, Book and Job Steam Printers,
Union and Journal Office, Main Street.
1867.
ORDERED, That the Committee on Printing be directed to cause to be printed in pamphlet form, for the use of the City Council and for distribution, eight hundred copies of the City Ordinances, together with the City Charter and Catalogue of the Government of the City of Saco.
Read and passed, and sent down for concurrence.

ATTEST: JOS. L. MILLIKEN, City Clerk.

Read and passed in concurrence.

ATTEST: JOHN A. KELLY, Clerk, pro tem.
THE CHARTER.

STATE OF MAINE.

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:

SECTION I. 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 the action of debt, or on complaint, before the municipal court in said city.

SECTION 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 coun-
Powers of officers or agents to borrow money, limited.

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 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 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 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.

**SECT. 4.** The executive power 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, 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 appropri-
City council to require bonds of person trusted with the receipt, custody or discharge of money; 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.

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.

Sect. 6. City assessors shall be annually appointed by the city council, who shall exercise and be subject to
CITY CHARTER.

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.

SECT. 7. The city council shall have exclusive power and authority to lay out any new street or public highway, 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.

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-walks, 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 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 train, 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.

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 limitation, 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.

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 council men shall be elected by each ward, being residents in the wards where elected. All said offices 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.

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 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 appoint-
ments 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
CITY CHARTER.

Electors of city clerk and other officers.

When city shall organize government.

Sect. 11. 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 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 be conveniently effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second ballot 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 elected shall, on the third Monday in 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.

**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 curb-stones, 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.

**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, 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
Penalty for entering main drain without permit.

Sec. 23. General meetings of the citizens qualified to vote in city affairs may, from time 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.

Proviso.

Vote of inhabitants, how taken, &c.

Inconsistent acts repealed.

Sec. 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.

Sec. 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.

Sec. 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.

IN THE HOUSE OF REPRESENTATIVES,

Feb. 4th, 1867.

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

LEWIS BARKER, Speaker.

IN SENATE, Feb. 5th, 1867.

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

N. A. BURPEE, President.

Approved, February 5th, 1867.

J. L. CHAMBERLAIN, Governor.

OFFICE OF SECRETARY OF STATE, Feb. 6th, 1867.

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

JAMES H. COCHRANE,
Dep. Secretary of State.
MUNICIPAL COURT.

STATE OF MAINE.

CHAPTER 346.

AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF SACO.

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

SECTION I. A municipal court shall be and hereby is established in and for the city of Saco, to be denominated the municipal court of the city of Saco, which shall have a seal, and shall be a court of record, except for and in its proceedings wherein the amount of value sued for, or in controversy, are within the jurisdiction of trial justices. Said court shall consist of one judge, who shall be a member of the bar in York county, and shall reside during his continuance in said office in said city of Saco, and who shall be elected, qualified, and hold his office as provided in the constitution, and shall, except when interested, exercise concurrent jurisdiction with justices of the peace, justices of the peace and quorum, trial justices, and the municipal court of Biddeford over all such matters and things civil and criminal within the county of York, as are by law within the jurisdiction of justices of the peace, justices of the peace and quorum, and trial justices in said county, except in actions civil and criminal, over which said municipal court of the city of Biddeford has, or may have, by law, exclusive jurisdiction.

SECTION 2. Said municipal court of the city of Saco shall have exclusive jurisdiction in all civil actions in which the debt or damages demanded by the plaintiff does not exceed twenty dollars, and both parties thereto have their residence in said city of Saco, or in which some person residing in said Saco is in good faith and
on probable grounds summoned as trustee of a party defendant residing in the county of York, and shall also have exclusive jurisdiction over all offences committed against the ordinances and by-laws of said city of Saco, and over all such criminal offences committed within the limits of said Saco as are cognizable by trial justices.

Sect. 3. Said court shall have original jurisdiction, concurrent with the supreme judicial court, in all civil actions where the debt or damages demanded does not exceed fifty dollars, in which the defendant, or one of the defendants, if more than one, resides in said Saco or in the city of Biddeford, and in actions in which a person residing in said Saco or Biddeford is in good faith summoned as trustee; and said court shall have original jurisdiction, concurrent with the supreme judicial and with the municipal court of the city of Biddeford, over crimes, offences and misdemeanors committed in said county of York, which are, by law, punishable by fine not exceeding twenty dollars, and by imprisonment in the county jail not exceeding three months, or by sentence to the reform school.

Sect. 4. Any party may appeal from any judgment or sentence of said court to the supreme judicial court, in the same manner as from a sentence or judgment of a trial justice.

Sect. 5. The judge of said court shall not act as attorney or counsel in any action, matter or thing within the jurisdiction of said court.

Sect. 6. Warrants may be issued upon complaints for offences committed in said city of Saco, by the judge of said court, by the judge of the municipal court of the city of Biddeford, or by any trial justice in said county, but all such warrants shall be made returnable before said municipal court of the city of Saco; and no justice of the peace, trial justice or judge of the municipal court of the city of Biddeford, shall take other cognizance over any crime, offence or misdemeanor committed in said city of Saco, or in any civil action where said court has exclusive jurisdiction; nor shall any trial justice
residing in said city of Saco issue any civil or criminal process within said county other than warrants as aforesaid, nor take any cognizance thereof, except in cases where the judge of said court is a party or interested in such suit or prosecution, or except in disclosures of poor debtors. Any trial justice or other judicial officer who shall violate any of the provisions of this act shall forfeit fifty dollars for each and every violation thereof, to be recovered on indictment; but nothing in this act shall be construed to prohibit any justice of the peace or trial justice from acting in a ministerial capacity, or from exercising at all times all the power and jurisdiction given him by any law of the United States.

Sect. 7. The court shall be held on the second and fourth Tuesdays of each month, at nine o’clock in the forenoon, for the transaction of civil business, and all civil processes shall be made returnable accordingly; and said court may be adjourned from time to time, at the discretion of the judge, but shall be considered as in constant session for the trial of criminal offences.

Sect. 8. It shall be the duty of the judge of said court to make and keep the records thereof, or to cause the same to be made and kept, and to perform all other duties required of similar tribunals in this state; and copies of the records of said court, duly certified by said judge, shall be legal evidence in all courts.

Sect. 9. The judge shall appoint a recorder, who shall be a trial justice for the county of York, duly qualified, who shall be sworn by said judge, who shall keep the records of said court when requested so to do by the judge; and in case of absence from the court room, or sickness of the judge, or when the office of judge shall be vacant, the recorder shall have and exercise all the powers of the judge, and perform all the duties required of said judge by this act, and shall be empowered to sign and issue all processes and papers, and do all acts as fully and with the same effect as the judge could do were he acting in the premises; and the signature of the recorder, as such, shall be sufficient evi-
ence of his right to so instead of the judge. When the office of judge is vacant, the recorder shall be entitled to the fees; in all other case she shall be paid by the judge.

Sect. 10. All fines and penalties awarded and received by said judge shall be accounted for and paid over, as if the same had been awarded and received by a trial justice.

Sect. 11. The fees of the judge which he may demand and receive for his services shall be as follows: for every blank writ signed by him, four cents; for entry of each civil action, forty cents; for every warrant issued by him, seventy-five cents; for the trial of an issue in a civil or criminal case, one dollar, and the same for every day occupied in the hearing of a case after the first day; and all fees not herein specified, he shall receive the sums allowed for similar services to trial justices.

Sect. 12. Said court shall be held at such place as the city shall provide; and the city of Saco shall have power, and it shall be its duty to raise money to purchase blank books of record, seals and dockets necessary for the use of said court, to provide a suitable room for said court, and to furnish the same in an appropriate manner.

Sect. 13. The forms of writs and processes in civil actions issued by said court, shall be the same as now provided by law, and shall be served at least seven days, and if the defendant party, or any trustee, be a corporation, thirty days before the return day.

Sect. 14. Actions pending in this court may be referred in the same manner as in the supreme judicial court, and on report of the referees to said municipal court, judgment may be rendered in the same manner, and with like effect, as in the supreme court.

Sect. 15. Costs and fees allowed to parties and attorneys in all actions before said court, in which the debt or damages recovered does not exceed twenty dollars, shall be the same as are allowed in actions before trial justices; but in cases where the damages do
exceed twenty dollars, the fees and costs shall be the same as in the supreme judicial court.

SECT. 16. All the provisions of the statutes of this state in relation to attachments of real and personal property, and the levy of executions on the same, shall be applicable to actions brought in this court, which shall have authority to issue executions to be satisfied in the same manner as though issuing from the supreme judicial court, except that no such executions shall be levied on real estate unless the debt or damage therein shall exceed the sum of twenty dollars.

SECT. 17. The municipal court of the city of Biddeford, and trial justices in the county of York, shall have power and jurisdiction over all actions and suits pending before them at the time this act shall take effect, or commenced previous to that time and returnable before them on a day subsequent thereto, to the same extent as if this act had not passed; and in like manner shall have the same authority and jurisdiction to issue any execution on any judgment recovered, or which shall be recovered before them as aforesaid, in any action, as if this act had not passed.

SECT. 18. The municipal court of the city of Biddeford, or any trial justice in the city of Saco, may take cognizance of any action, matter or thing within their jurisdiction, wherein the judge or recorder of said municipal court of the city of Saco is a party or interested.

SECT. 19. This act shall take effect and be in force from and after its approval.

Approved February 23, 1867.
CITY ORDINANCES.

AN ORDINANCE CONCERNING CITY ORDINANCES.

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

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 Saco, as follows."

SECT. 2. All the ordinances shall be engrossed in a fair, 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 Saco," which book shall be preserved in the office of the city clerk, subject to the inspection of the citizens.

SECTION 3. Any ordinance passed by the city council shall take effect and go into operation in ten days from and after its approval by the mayor, unless otherwise provided in said ordinance.

[Originally passed May 1, 1867, and approved May 2, 1867.]

AN ORDINANCE CONCERNING THE DUTIES OF THE CITY CLERK AND CLERK OF THE COMMON COUNCIL.

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

SECTION 1. The city clerk shall keep a full record of all the doings of the board of aldermen, and of all joint conventions of the city council, which record shall be open at all times to public inspection.

SECTION 2. 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; the chairmen of all committees, the appointment of which originated in the board of aldermen, the chairmen 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 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 committee thereof.

Sect. 3. He shall keep all papers belonging to the city in suitable files prepared for the purpose, and engrave all joint resolves and ordinances, after they shall have finally passed, in a convenient form for inspection, and shall generally perform all duties and exercise all the powers by law incumbent upon, or vested in town or city clerks.

Sect. 4. The clerk of the common council shall keep a full and accurate record of all the doings of the common council, which shall be open to public inspection. All papers properly belonging to the common council, he shall keep in suitable files, intelligibly endorsed, for convenient reference. He shall cause all papers requiring the concurrence of the board of aldermen to be transmitted to that board with as little delay as practicable, and shall attend to the notifying of the chairmen of committees of the common council, and generally perform all such duties as may be prescribed by the common council or the city council.

[Originally passed May 1, 1867, and approved May 2, 1867.]

AN ORDINANCE AUTHORIZING THE APPOINTMENT AND PRESCRIBING THE DUTIES OF THE CITY MARSHAL.

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

SECTION 1. The mayor shall annually, in the month of March, appoint a city marshal, who shall hold his office until another shall be appointed and qualified in his stead. He shall be sworn to the faithful discharge of the duties of his said office, and give bond, with
SURETIES, to the satisfaction of the mayor, for the faithful discharge thereof, in the sum of five hundred dollars.

SECT. 2. The city marshal shall have all the powers, and exercise all the duties that now appertain to constables of towns, and he 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 the government of the city of Saco.

SECT. 3. It shall be the duty of the city marshal from time to time to inspect the streets, wharves and lanes of the city, and cause to be removed all nuisances, obstructions or impediments therein. He shall be vigilant and active in detecting any violation or breach of any law or city ordinance, taking the names of the offenders that they may be prosecuted; to receive complaints of the inhabitants of any breach of the laws, and for that purpose shall daily attend at some convenient place at stated hours. He shall prosecute all offenders against the laws and ordinances of the city before the municipal court of the city of Saco, within one week after detecting the offenders and ascertaining the offences by them committed, and attend regularly and punctually all trials of offenders by him prosecuted in behalf of the city, and use all lawful means for their effectual prosecution and final conviction. He shall lay before the mayor and aldermen a correct statement of all prosecutions by him instituted before the municipal court within fourteen days after their final determination. And it shall be his duty in the first week in March in each year, to render to the mayor and aldermen the names of all persons from whom he may have collected fines during the then past year, together with the sums collected from each, and pay over said money in full to the treasurer of the city.

SECT. 4. On alarm of fire the marshal shall proceed with such of the police as may be needed, with badges of office, to the place of alarm, for the purpose of pre-
serving the peace, removing disorderly persons, and preventing theft and destruction of property.

[Originally passed May 1, 1867, and approved May 2, 1867.]

(No. 4.)

AN ORDINANCE ESTABLISHING THE OFFICE OF CITY PHYSICIAN AND PRESCRIBING HIS DUTIES.

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

City Physician.

SECTION 1. The city council shall annually in the month of March, elect by ballot a city physician, who shall be removable at the pleasure of the city council; it shall be his duty to attend upon the paupers of the city when sick and in need of medical aid, and to render such assistance and furnish such medicines as may be necessary, and to have an oversight of the health of the inmates of the Almshouse; and he shall receive such compensation for his services and the medicines furnished by him as the city council shall annually determine.

SECT. 2. In case of vacancy in said office, by resignation, death or otherwise, the city council shall forthwith proceed to fill the same in the manner prescribed above.

[Originally passed May 1, 1867, and approved May 2, 1867.]

(No. 5.)

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF POLICE OFFICERS.

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

Police, appointment of

SECTION 1. The mayor, with the approbation of the aldermen, shall appoint police officers, who shall be removable at the pleasure of the mayor and aldermen, and unless removed shall hold their office until the third Monday in March succeeding their appointment.

SECT. 2. The police officers shall to the utmost of their power preserve the public peace, and prevent all
riots, disorders, and unlawful practices within the city. They shall be under the direction of the city marshal, and shall perform such police duty as he may require of them by night or by day; and the marshal may employ one or more of said police as a night watch, for such periods of time, and upon such beats, as he may appoint; provided, however, that in no case are the services of the police to be required so as to exceed the amount appropriated by the city council for their pay.

**Sect. 3.** The city marshal shall furnish the police with suitable badges of office, which shall be worn by them on proper occasions. They shall report to the marshal weekly the days and number of hours in each day actually employed by them in police duty, stating on whose call, for what purpose, and with what result; and the marshal shall report the same monthly to the mayor and aldermen, with his approval of such service as an allowance should be made for, and the amount of such allowance.

**Sect. 4.** Police officers shall receive for their services such compensation as the city council may from time to time determine and allow.

[Originally passed May 1, 1867, and approved May 2, 1867.]

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(No. 6.)

AN ORDINANCE PROVIDING FOR THE ELECTION OF A CITY COLLECTOR, DEFINING HIS DUTIES AND FIXING HIS COMPENSATION.

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

Section 1. The city council shall annually in the month of March, elect a city collector, who shall be duly sworn, and who shall give bond, with sufficient sureties for the faithful performance of the duties of his office, according to the laws of the state and the provisions of this ordinance; said bond not to be less than ten thousand dollars, and for such other sum as the city council shall direct.
Sect. 2. The collector shall collect all taxes committed to him within the financial year, and on the second Wednesday of each month shall pay all money in his hands received for taxes, and interest and costs on the same, to the city treasurer, taking his receipt therefore; and he shall receive as compensation for collecting said taxes one per cent. on all money received for taxes collected within one year from the date of commitment, and paid into the treasury as above; and he shall also be entitled to receive one per cent. on all other money collected by him from taxes, for the collection of which legal proceedings shall have been instituted by him within said year; and for all taxes not thus disposed of or abated he shall be held personally responsible, and shall receive no compensation for collecting the same.

Sect. 3. The mayor shall and is hereby directed to draw from the city treasury, in favor of the collector, such sums of money as have been collected of the state and county taxes, at such times as the law requires for the payment of the same, for which the collector shall give his receipt to the city.

Sect. 4. There shall be allowed a discount of eight per cent. on all taxes paid to the collector on or before the tenth day of July annually; and there shall be charged, and the collector is hereby directed to collect the legal rate of interest on all sums of money paid as taxes after October first, annually.

[Originally passed June 12, 1867, and approved June 12, 1867.]

AN ORDINANCE TO ESTABLISH THE CITY ARMS AND SEAL.

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

Section 1. The city shall bear for its arms, "argent a cheveron gules," between three pine apples "slipt verte," (being the arms of Sir William Pepperrell, Baronet).

Sect. 2. The seal of the city shall bear as a device,
the arms of the city with the legend, "Domine Dirige Nos, City of Saco, Me., 1867."

[Originally passed June 12, 1867, and approved June 12, 1867.]

AN ORDINANCE RESPECTING FINES.

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

SECTION 1. It shall be the duty of every officer, on knowledge of the breach of any ordinance or laws, to report the same to the mayor, city marshal or solicitor, whose duty it shall be to see that all fines and forfeitures are collected, and all offenders prosecuted.

SECTION 2. All fines, forfeitures and penalties, under any city ordinance, shall, unless otherwise directed in any particular ordinance, be recoverable by action of debt in the name of the city, or by complaint and warrant before the municipal court of the city of Saco, or by payment of the maximum amount of the same to the city marshal on notice from him; and either course may be pursued at the election of the city solicitor, and all fines, forfeitures and penalties when received or recovered, shall be paid into the city treasury.

[Originally passed May 1, 1867, and approved May 2, 1867.]

AN ORDINANCE IN RELATION TO THE BUILDING OF SIDEWALKS.

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

SECTION 1. Whenever the city council may require the sidewalk or footway in front of any lot of ground fronting on any street or way in the city of Saco, to be paved, it shall be the duty of the commissioner of streets to notify the owner, or tenant, of such lot, in writing, of such requirement. And if the owner of such lot shall refuse or neglect to pave the same as aforesaid, to the

[Originally passed May 1, 1867, and approved May 2, 1867.]
satisfaction and approval of the committee on streets, for the space of twenty days after notice as aforesaid, it shall be the duty of said commissioner to pave such sidewalk or footway in such manner as said committee may direct.

SECT. 2. The city council shall assume not less than one-third part of the cost or expense of paving the sidewalks or footways of the streets of said city, as provided for in the preceding section, said cost or expense to be estimated and determined by the committee on streets; and the city will cause said proportion of the cost or expense of said sidewalk or footway to be paid in money, or materials, as the committee on streets shall determine and elect.

[Originally passed June 12, 1867, and approved June 12, 1867.]

AN ORDINANCE RELATING TO CLEARING SIDEWALKS.

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

SECTION 1. The tenant or occupant of any store or shop bordering upon any sidewalk, shall after the ceasing to fall of any snow, if in the day time, within six hours, and if in the night time, before one of the clock in the afternoon succeeding, cause the same to be removed from such sidewalk. And this provision shall be construed to extend to the removing of snow falling from any roof upon such sidewalk; provided, no person shall be required to remove any snow on the Sabbath day.

SECTION 2. Such tenant or occupant, whenever any ice shall have formed upon the sidewalk bordering upon his store or shop, shall cause the same to be removed, or to be covered or strewed with sand, ashes or other substance in such manner as to render said sidewalk safe and easy for foot-passengers, and every such tenant or occupant neglecting or refusing to comply with
the provisions of this ordinance, shall forfeit and pay not less than $1.00 nor more than $10.00 for every day that he shall so refuse or neglect.

**Sect. 3.** The street commissioner shall attend to the enforcing of the provisions of this ordinance; and it shall also be his duty, after the ceasing to fall of any snow, to cause the same to be removed from the sidewalks bordering upon any unoccupied store or any lot not occupied by a store or shop situated in the business part of Main street and on Pepperrell square, at the expense of the owners thereof; and it shall also be his duty, as soon as possible after the formation of ice upon sidewalks bordering upon such unoccupied lot, store or shop, to cause the same to be removed or strewn with sand, or ashes, or other substances, so as to render them safe for foot-passengers.

[Originally passed May 1, 1867, and approved May 2, 1867.]

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**(No. 11.)**

**AN ORDINANCE DEFINING THE DUTIES OF THE COMMITTEE ON STREETS.**

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

**SECTION I.** It shall be the duty of the committee on streets to apportion to the several highway districts in the city of Saco, such portion of the money raised for the repair of highways, as in their judgment the wants of the districts may respectively require; to superintend the building and repair of the bridges within the city; to examine, and if found correct, to approve all bills contracted by the several commissioners of roads and streets in the city, before the same shall be presented for payment; and it shall also be their duty to superintend the laying out and widening of roads and streets of the city, whenever the same may have been provided for according to law.

[Originally passed June 12, 1867, and approved June 19, 1867.]
the provisions of this ordinance, shall forfeit and pay not less than one nor more than ten dollars for each and every day that he shall so refuse or neglect.

**SECT. 3.** The street commissioner shall attend to the enforcing of the provisions of this ordinance; and it shall also be his duty, after the ceasing to fall of any snow, to cause the same to be removed from the sidewalks bordering upon any unoccupied store or any lot not occupied by a store or shop situated in the business part of Main street and on Pepperrell square, at the expense of the owners thereof; and it shall also be his duty, as soon as possible after the formation of ice upon sidewalks bordering upon such unoccupied lot, store or shop, to cause the same to be removed or strewed with sand, or ashes, or other substances, so as to render them safe for foot-passengers.

[Originally passed May 1, 1867, and approved May 2, 1867.]

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**(No. 11.)**

**AN ORDINANCE DEFINING THE DUTIES OF THE COMMITTEE ON STREETS.**

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

**SECTION 1.** It shall be the duty of the committee on streets to apportion to the several highway districts in the city of Saco, such portion of the money raised for the repair of highways, as in their judgment the wants of the districts may respectively require; to superintend the building and repair of the bridges within the city; to examine, and if found correct, to approve all bills contracted by the several commissioners of roads and streets in the city, before the same shall be presented for payment; and it shall also be their duty to superintend the laying out and widening of roads and streets of the city, whenever the same may have been provided for according to law.

[Originally passed June 12, 1867, and approved June 19, 1867.]
CITY OF SACO.

(No. 12.)

AN ORDINANCE DEFINING THE HIGHWAY DISTRICTS AND DUTIES OF THE ROAD AND STREET COMMISSIONERS.

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

SECTION 1. The city of Saco is hereby divided into four highway districts, thus bounded and described, to wit:

District No. One beginning at the point where the Portland, Saco and Portsmouth Railroad crosses Saco River, and running thence westerly and northerly up said river by the Biddeford and Dayton city and town lines to the Buxton town line, and thence by said Buxton town line to the Buxton road (so called); thence by a line drawn so far, and so far only, north-easterly of the north-east side line of said Buxton road, as will include all the dwellings and inhabitants on said Buxton road, to the Portland, Saco and Portsmouth Railroad; thence by said railroad to the point of beginning.

District No. Two beginning at the intersection of the line of district number one with said railroad near the depot, thence running northerly by the north-easterly side line of district number one to the Buxton town line; thence by Buxton town line to Scarborough town line; thence by said Scarborough line to the south-easterly side line of the Portland road; thence by a line drawn so far, and so far only, south-easterly of the Portland road as shall include all the dwellings and inhabitants on said road, to the Harmon road, so called, near the Dyer school house; thence by said road so as to include the dwellings and inhabitants on said road to the Portland, Saco and Portsmouth Railroad; thence by said railroad to the point of beginning, excepting therefrom the road leading from said railroad to the house occupied by Benjamin Goodwin.

District No. Three beginning on the south-easterly side line of said Portland road where it intersects the railroad aforesaid, thence running north-easterly by the south-easterly and easterly side line of district number
two to the Scarborough town line; thence by the Scarborough town line to the sea; thence by the sea to the Saco river; thence up Saco river to a point where the north-westerly side line of Laurel Hill Cemetery extended would strike the Saco river; thence in a straight line north-easterly to the westerly side line of the Old Orchard road where it intersects the Ferry road; thence in a straight line northerly to a point on the Ross road, fifteen rods north-easterly from the bridge which crosses Goose Fare brook; thence to the point of beginning.

District No. Four includes all the territory and inhabitants of the city of Saco not included in either of the other districts as above defined, and the road which leads from said railroad to the house occupied by Benjamin Goodwin.

Sect. 2. There shall be annually elected, by the city council, one commissioner of roads and streets for each of the above described districts; and each of said commissioners shall be sworn to the faithful performance of duty, and shall receive such compensation as the city council shall establish, and shall be removable at the pleasure of the city council; and if either of said offices shall become vacant by death, resignation, or otherwise, they shall forthwith elect another person.

Sect. 3. It shall be the duty of each commissioner of streets to superintend the general state of the roads, streets, sidewalks and lanes in his district; to attend to the repairs of the same, and to make all contracts for labor and materials therefor, and to give notice to the mayor, or to the city marshal, of any nuisance, obstruction or encroachment thereon; to superintend the building or repairing of any drain, sewer, or reservoir in his district, and to make contracts for labor or materials for the same; to take the general care of all carts and teams owned by the city, to be used in his district, (except such as shall be kept for the use of the city farm), and to make all necessary arrangements for cleaning the streets, and disposing of the manure received therefrom in his district.
SECT. 4. All the powers vested in, and duties required of, road commissioners, by the laws of this state, are hereby vested in, and required of, each commissioner of streets within his district; and any damage or expense which the city may sustain in consequence of the gross neglect of duty on the part of either of the commissioners of roads and streets, shall be paid by him; and each shall perform such duties, in his said office as the city council may require.

SECT. 5. Each commissioner of roads and streets shall settle and pay all accounts contracted in the discharge of his official duties, by funds to be supplied him from money raised and appropriated for that purpose; and he shall give bond for the faithful application of all funds entrusted to him, and for the faithful performance of all the duties of his office, and for the payment of all damages or expense which the city may sustain in consequence of his gross neglect of duty; and he shall keep an exact account of his receipts and expenditures, containing the name of every person to whom money is paid, and the amount paid to each person, and lay the same monthly before the committee on accounts for their examination and allowance, which committee shall report the same to the city council; and each of them shall make himself acquainted with the lines and bounds of the roads and streets within his district; and they, or either of them may make such arrangements with the overseers of the poor, for procuring labor and materials from the city farm, as the interests of the city may require; and may have the teams kept, and men boarded at said farm, upon such terms as shall be agreed upon between them, or either of them, and said overseers.

SECT. 6. It shall be the duty of each commissioner of roads and streets to see that no encroachments are made upon any streets, squares, lanes or grounds of the city, by fences, buildings, or otherwise, within his limits; and whenever any encroachment shall hereafter be made upon the same, and the party making the same shall
CITY ORDINANCES.

neglect or refuse to remove the same, it shall be the
duty of the commissioner of streets, in whose limits the
encroachment is made, to cause the person so offending,
to be prosecuted, and the nuisance abated.

[Originally passed March 27, 1867, and approved March 30, 1867.]

(No. 13.)
AN ORDINANCE RELATING TO CATTLE, HORSES, SWINE, &c.

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

SECTION 1. No owner or person having the care of
any sheep, swine, horses, mules, oxen, cows, or grazing
animals, shall permit or suffer the same to go at large
on any street, lane, alley, common, square, or other pub-
lic place within the city, under a penalty of two dollars
for each offence, to be recovered by complaint before
the municipal court of Saco. All complaints for viola-
tion of this section shall be made to the city marshal,
whose duty it shall be to forthwith collect any fine in-
curred as aforesaid, and in default of payment to cause
the owners of such animals to be prosecuted therefor.

SECTION 2. It shall be the duty of the city marshal or
any police officer, upon having knowledge of the breach
of the provisions of this ordinance, to prosecute there-
for and take such animals into custody and deliver them
to the pound keeper of the city, in pursuance of the pro-
visions of the statutes of the state.

SECTION 3. No person shall hitch or fasten any animal
Hitching to
any shade tree, or the casing or protection of any
shade tree within the limits of any street or way in the
city lying within the following described lines and
bounds, to wit: the Portland, Saco and Portsmouth
Railroad on one side, Saco river upon another side, and
a line so drawn from the intersection of said railroad
with the Portland road to Hobson's wharf, so called, as
to embrace the Portland road, Summer street, Winter
street and James street, under penalty of not less than two or more than ten dollars.

[Originally passed May 1, 1867, and approved May 2, 1867.]

(No. 14.)

AN ORDINANCE RELATING TO SHOWS.

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

SECTION 1. The mayor or city marshal may grant license for any of the exhibitions or performances in the city, mentioned in sect. 2, chap. 29, of Revised Statutes, on receiving for the use thereof such sum as he may deem proper, but not less than five dollars for every such exhibition, twenty-four hours being allowed for the same.

SECTION 2. It shall be the duty of the city marshal to prosecute, in the name of the city, all persons found violating the provisions of this ordinance.

[Originally passed May 1, 1867, and approved May 2, 1867.]

(No. 15.)

AN ORDINANCE RESPECTING TRUANT CHILDREN AND ABSENTEES FROM SCHOOL.

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

SECTION 1. The city of Saco 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,

SECTION 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 there be some sufficient reason to the contrary, be required regularly to attend some public or private school or suitable institution of instruction.
CITY ORDINANCES.

SECT. 3. All such children failing to comply with the provisions of the foregoing section, and all children belonging to any public school in this city, who shall be habitual truants therefrom, shall be liable to a fine of not more than ten dollars and costs of prosecution, to and for the use of the city, upon each and every conviction thereof, to be recovered by complaint. And for the purposes of this ordinance, all persons between the ages aforesaid belonging to any public school in the city, who, without sufficient excuse, or the consent of one of their parents, guardians, or masters, shall be absent therefrom three or more times in the course of any school term, may be taken and deemed to be habitual truants.

SECT. 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 persons as may be deemed proper, who shall be denominate school guardians, whose duty it shall be to prosecute the violations of this ordinance; and any person between the aforesaid ages of six and fifteen who shall be found during school hours, by the said school guardians, or either of them, in truancy, or absent from school, without such excuse or consent as mentioned in section three of this ordinance, may upon the first finding be apprehended by said guardians, and taken to his or her parent, guardian, or master, to whom notice of such finding shall be given; and for every subsequent offending, he or they shall be dealt with according to law and the provisions of this ordinance.

SECT. 5. The judge, for the time being, of the municipal court of the city of Saco, shall have exclusive original jurisdiction of all acts, matters and things, arising under this ordinance, and an appeal may be taken from his sentence as in other criminal cases; and he shall issue all precepts necessary for the due enforcement hereof, and shall hear, determine, and pass judgment upon cases.
arising under this ordinance, as to law, and as the best interests of the schools shall require.

**Sect. 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 period of time as he may deem expedient, to labor on the city farm, under the supervision of the master of the work house, or he may order the offender to the State Reform School.

**Sect. 7.** All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

[Originally passed July 3, 1867, and approved July 5, 1867.]

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**AN ORDINANCE FOR THE PREVENTION OF CERTAIN ACTS IN THE STREETS OF THE CITY OF SACO.**

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

**Section 1.** No person except street commissioners, or other person or persons acting under the authority of the city council, shall break, or dig up the ground or stones in any street or other way of the city; nor erect any staging for building, nor deposit any stone, bricks, timber, or other building materials thereon, without license first had and obtained from the mayor and aldermen, who are authorized to grant the same on such conditions as they deem safe and proper.

**Sect. 2.** No person shall let or continue any carriage, or other vehicle of any description, with or without horses or other animals attached thereto, in any street or way of the city, so as to obstruct the same, after having been requested by any person having occasion to use such street or way, or after having been ordered by the mayor or city marshal, or any one authorized by the city, to remove the same.

**Sect. 3.** No person shall drive, draw, or pass any cart, wheel-barrow, carriage (except children's hand-
CITY ORDINANCES.

carriages), sled, or other vehicle, on any sidewalk of the city, to the obstruction of any passenger, nor permit any horse, or other draught animal, or any cow, to pass thereon while under his care; nor occupy, encumber or obstruct any street by means of boxes, crates, casks, barrels, or other things, or in any other way hinder or obstruct the convenient use of the streets, or other ways, by passengers.

Sect. 4. No person shall stop his team or carriage, or place any other obstruction, on or across any flag stones or other foot ways, which have been, or which shall be laid in any street or way of the city.

Sect. 5. No person shall ride any horse, or drive any horse attached to any carriage, in any street or way of the city, at any immoderate pace; and every person riding or driving a horse in any street or way of the city, shall conduct the same with reasonable care and prudence, so as not to endanger the public safety.

Sect. 6. No person shall suffer his coal or fire-wood to remain unnecessarily in or upon any street or other way of the city; and no person shall saw or pile wood, or stand a saw-horse on any sidewalk to the hinderance or obstruction of any foot passenger.

Sect. 7. No person shall move, or assist in moving any building whatever through any street, or any other way, of the city, unless by written permission of the mayor and aldermen, under such restrictions as they may prescribe.

Sect. 8. No person shall swim or bathe without clothes on his person, at or in view of any public landing, nor in any such places as are exposed to view from the public streets, nor so as to annoy the occupants of dwelling houses.

Sect. 9. No person shall place or maintain any table, tent, booth, or stall, in any public street or way, for any sale or exhibition, without the permission of the mayor or aldermen.

Sect. 10. No person shall fire any rocket, squib or cracker, or other thing formed of gun powder, or other
Firing guns and other combustibles in the streets without permission.

Rude behavior, insulting language, playing at games, to the annoyance of the public prohibited.

Collections of individuals on the walks, obstructing passage prohibited.

Intermeddling with streets and walks prohibited.

Placing fences off from bounds of streets prohibited.

Penalties.

Complaint to be in three months.

Erections upon and over walks without permission prohibited.

explosive substance, in whole or in part, nor make any bonfire of tar barrels, or any other substances, nor, except in the performance of some duty authorized by law, discharge any field piece, gun, or other fire-arm, in or upon any street or way of the city, without permission of the mayor and aldermen.

SECT. II. No person shall behave in a rude, disorderly manner, nor use indecent, profane, or insulting language, nor designedly frighten any horse, nor within the compact part of the city, play at ball, coast on sleds, play marbles, roll hoop, throw stones or other missiles, in any street or other public place, nor be on any sidewalk, door, step, fence or porch, to the annoyance of other persons.

SECT. 12. No persons shall remain collected on any sidewalk so as to obstruct passage along the same, or to impede or annoy other persons.

SECT. 13. No person shall remove or erect any post, or change the grade of any street or sidewalk, or the width of any sidewalk, or the direction of any curbstones thereof, without permission of the mayor and aldermen; and no person shall change the direction or position of any fence or building adjoining any street or other public way, or place any fence or building to adjoin the same, without first having ascertained the true bounds of such street or way.

SECT. 14. Any person offending against any of the provisions of this ordinance, shall forfeit and pay for each offence a fine of not more than twenty dollars, provided, however, that the complaint for such offence be instituted within three months from the time of its commission.

SECT. 15. No person shall make, erect or maintain any door-step, portico, porch, entrance, or passage-way to any cellar or basement; or suffer any spout under his control to cast water upon the street; or place any other structure in or upon any street, or other way of the city, without permission in writing from the mayor and
aldermen, who shall judge of the propriety of granting the same.

Sect. 16. No person shall expose for sale or use any implements of gambling in any public place of the city, nor gamble in any such place.

Sect. 17. No person shall make indecent figures, or write or fasten indecent words upon any fence, building, post, tree, or other object bordering upon the streets of the city, or otherwise deface or injure the same.

Sect. 18. No person shall place, or cause to be placed or maintained, any bridge or crossing stone, over any gutter in any street of the city, unless the same shall be so placed as to allow the free and uninterrupted passage of water under the same.

Sect. 19. No person shall take hold of or ride on the back of any chaise, sleigh, or other vehicle, while the same is passing in the streets, without permission of the owner or driver thereof.

[Originally passed July 3, 1867, and approved July 5, 1867.]

(No. 17.)

AN ORDINANCE RELATING TO DOGS.

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

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

Sect. 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.

Sect. 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
Mayor and Aldermen. Pay over tax to Treasurer. in three months, of all moneys received, and shall pay over the same to the city treasurer for the use of the city.

License to be numbered. Sect. 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.

Printed or engraved on collar. Sect. 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.

City Marshal to destroy dogs without collars, &c., Sect. 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 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.

Mischievous and dangerous dogs to be taken care of. Sect. 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 Saco 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.
[Originally passed May 1, 1867, and approved May 2, 1867.]

(No. 18.)
AN ORDINANCE RELATING TO THE DUTIES OF THE FINAN-
CIAL OFFICERS OF THE CITY OF SACO.

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

SECTION 1. There shall be elected annually a joint
standing committee of finance, to consist of one member
of the board of aldermen and two members of the com-
mon 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, except
such as the treasurer may be specially authorized to
make, and report the same forthwith in writing to the
auditor, and to consider and report to the city council
on all subjects relating to the finances of the city.

SECT. 2. There shall be elected 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 ac-
counts, 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.

SECT. 3. There shall be chosen annually hereafter,
in the month of April, or in the time that may hereafter
be fixed for the election of other subordinate officers, one
person possessing a practical knowledge of book keep-
ing, to be styled the city auditor of accounts, who shall
continue in office during the year ensuing his election,
and until another person has been elected and qualified
in his place. He shall be sworn to the faithful per-
formance of the duties of his office, and shall deliver
over to his successor or to the city clerk all the books,
accounts, papers, and other documents and property,
which shall belong to said office; and in case said office
shall become vacant by death, resignation, or otherwise, a successor shall forthwith and in like manner be elected, who shall continue in office until the election and qualification of a successor. No moneys shall be paid out of the city treasury unless the expenditures of the terms of the contract shall be vouched by the chairman of the committee of the board under whose authority it had been authorized and made; nor unless the same shall be examined by the auditor, approved by the committee on accounts and drawn for by the mayor. It shall be the duty of the auditor to keep in a neat, methodical style and manner, a complete set of books, under the direction of the committee on accounts, wherein shall be stated among other things, the appropriation for each distinct object of expenditure, to the end that, whenever the appropriations for the specific objects shall have been expended, he shall immediately communicate the same to the city council, that they may be apprized of the fact, and either make a further appropriation, or withhold as they may deem expedient; the auditor shall receive all bills and accounts from persons having demands against the city, examine them in detail, cast up the same, and have them filed and entered in books, in such manner and form as the committee on accounts shall order and direct. When the auditor shall have any doubt concerning the correctness of any such bill or account presented against the city, he shall not enter the same in a book until he shall have exhibited the same, with his objections, to the committee on accounts at their next meeting, for their consideration and final decision. And it shall also be the duty of the auditor to render any other services from time to time, as the city council or the committee on accounts shall direct.

It shall be the duty of the auditor of accounts to lay before the city council, annually, at such time as the council may direct, an estimate of the amount of money necessary to be raised for the ensuing year, under the respective heads of appropriation; and shall also annually, at such time as the council may direct, make and
lay before said council a statement of all the receipts and expenditures of the past financial year, giving in detail the amount of appropriation and expenditure for each specific object, the receipt from each source of income, the whole to be arranged as far as practicable to conform to the accounts of the city treasurer; and said statement shall be accompanied by a schedule of all the property belonging to the city, and an exhibit of the debts due from the city. He shall open an account with the collector, charging him with the whole amount of taxes placed in his hands for collection, and also with the treasurer, charging him in detail with all notes, mortgages, leases, rents, interest and other sums receivable, in order that the value and description of all personal property belonging to the city may be at any time known at the office of the auditor.

Sect. 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, and shall be countersigned by the auditor.

Sect. 5. No bill or 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.

Sect. 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
after appropriation is exhausted.

Sect. 7. The treasurer shall make up his accounts 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.

Sect. 8. All persons who may receive any money at and time, in 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.

Sect. 9. 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.

[Originally passed May 1, 1867, and approved May 2, 1867.]

AN ORDINANCE DEFINING THE DUTIES OF THE COMMITTEE ON PRINTING.

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

Section 1. At the commencement of each municipal year there shall be appointed a joint standing committee on printing, to consist of one aldermen and two members of the common council.

Section 2. The said committee shall make all contracts for the city printing, shall see that the work performed and the material provided are in conformity with the terms of the contract, and shall approve all bills for printing.

[Originally passed May 1, 1867, and approved May 2, 1867.]
AN ORDINANCE ESTABLISHING A BOARD OF HEALTH, AND PRESCRIBING REGULATIONS CONCERNING THE SAME.

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

SECTION I. At the commencement of each municipal year, there shall be appointed a board of health, with full power to regulate quarantine, provide for accidents of contagion or infection, remove nuisances or other causes of disease or impurity of air, and generally to perform the duties of boards of health, or health committees, as defined by the laws of the state.

SECTION 2. Any place of deposit for house or shop, or for other rubbish or refuse matter, and any drain, privy or vault in any part of the city, which shall appear to the board of health to be unfit, insufficient, or not properly situated, constructed, or cleansed, or any cellar or vacant grounds, and any hog-pen or deposit of manure in the compact part of the city, may, at the discretion of the board, be declared and deemed a public nuisance, and, as such, be held subject to all the provisions concerning the removal or abatement of the same, provided by the laws of the state.

SECTION 3. No person shall cast any dead animals, fish entrails, decayed vegetables, house or other rubbish, or any other foul or offensive matter in any dock or landing place within the city, or any of the waters of the river, except at a point below low water mark, or at such place or places above the same as may be designated by the board of health.

[Originally passed July 3, 1867, and approved July 5, 1867.]

(No. 21.)

AN ORDINANCE PROVIDING FOR THE ELECTION AND PRESCRIBING THE DUTIES OF CITY SOLICITOR.

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

SECTION I. The city council in convention, shall an-
City Solicitor, annually in the month of March, elected, by ballot, a city solicitor, who shall be an attorney-at-law, and be removable at the pleasure of the city council.

**SECT. 2.** It shall be the duty of said solicitor to draft all instruments which may be required of him by any ordinance, or by 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. It shall be his duty to prosecute or defend, as the case may be, all suits in which the city may be a party or interested, and shall 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 breach 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 other officer of the city government who may require his opinion on any subject touching the duties of their respective offices.

**SECT. 3.** Said solicitor shall receive for his services such compensation as the city council may determine, and whenever it may become necessary to have the aid of additional council in the opinion of the city government, such council may be engaged at the expense of the city; and it shall be the duty of said solicitor to account for and pay over to the city treasurer all moneys by him received for costs in any prosecution or suit wherein the city is or may be interested.

**SECT. 4.** The city 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.
CITY ORDINANCES.

during the year, and such other information in regard to the business of his department as he may deem im-
portant or the city council may direct.

[Originally passed March 27, 1857, and approved March 30, 1867.]

(No. 22.)
AN ORDINANCE PROVIDING FOR THE ELECTION OF CITY TREASURER, DEFINING HIS DUTIES AND FIXING HIS COM-
PENSATION.
Be it ordained by the City Council of the City of Saco, as follows:

SECTION I. The city council shall annually in the month of March, elect a city treasurer who shall be duly
sworn, and who shall give bond, with sufficient sureties, for the faithful performance of the duties of his office, 
said bond not to be less than ten thousand dollars.

SECT. 2. The city treasurer shall receive all money paid into the treasury by the collector or collectors, and
money due the city from any and all other sources, and give his receipt therefor; and it shall be his duty to
negotiate and procure all loans on city notes for such amounts as the city council may from time to time di-
rect, and report the same forthwith to the auditor, and also report the same as often as once a month to the
committee on finance.

SECT. 3. All notes negotiated by the city shall be signed by the treasurer and countersigned by the mayor
and auditor.

SECT. 4. The treasurer, under the direction of the committee on accounts, shall keep, in a book provided
for the purpose, a true and accurate account of all re-
ceipts and payments in behalf of the city, making the
same conform as nearly as may be with the accounts
kept by the auditor; and he shall pay no money from
the treasury except by order of the mayor countersigned
by the auditor, or as provided in the the fifth section of
the city charter.

SECT. 5. The treasurer shall receive as compensation
Exhibit all books and accounts to Committee on Accounts, &c.

Sect. 6. The treasurer shall exhibit all the books and accounts appertaining to his office, to the committee on accounts, whenever required, and shall deliver the same to his successor, together with all money, goods or chattels in his possession belonging to the city.

[Originally passed May 9, 1867, and approved May 10, 1867.]

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(No. 23.)

AN ORDINANCE RELATING TO NUISANCES.

Be it ordained by the City Council of the City of Saco, (at a meeting specially called for the purpose of adopting the following ordinance) as follows:

SECTION 1. That the following act of the Legislature, and its amendments, be and is hereby adopted.

AN ACT ABATING NUISANCES.

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

SECTION 1. Whenever the mayor and aldermen of any city, or the selectmen of any town, after due notice in writing to the owner of any burnt, dilapidated or dangerous building, and after a hearing of the matter, shall adjudge the same to be a nuisance to the neighborhood, or dangerous, they may make and record an order, prescribing what disposition or alteration shall be made thereof, or such other provisions as they shall deem necessary; and thereupon it shall be the duty of the city or town clerk to deliver a copy of such order to a constable, who shall serve such owner with an attested copy thereof, and make return of his doings thereon to said clerk forthwith. If no application shall be made to the supreme judicial court, or a justice thereof, as herein after provided, the mayor and aldermen of such city, or selectmen of such town, shall cause such nuisance to be abated, removed or altered in compliance with their order, and all expenses thereof shall be repaid.
to the city or town by such owner; if not paid within thirty days after demand, they may be recovered of such person by an action of money paid for his use.

**SECT. 2.** Any owner aggrieved by any order passed under the provisions of the first section of this act, may apply to the supreme judicial court, if in session in the county in which such order is passed, or to any justice thereof, in vacation, for a jury, and such court or justice shall forthwith order a warrant for a jury to issue, to be empanelled by the sheriff in the same manner as is provided by section ten of the eighteenth chapter of the revised statutes, in regard to the laying out of highways. Such application shall be made within five days after such order is served on such owner, and the jury shall be empanelled within seven days from the issuing of the warrant.

**SECT. 3.** The jury may find a verdict, either affirming or annulling said order, or making alterations therein, as they may see fit, which verdict shall be returned forthwith to the justice issuing the warrant, for acceptance. He may accept or reject the same, and may, if rejected, order a new warrant if he thinks reasonable. If the court is not in session the action shall be entered on the docket of the court for the term succeeding; exceptions taken by either party shall be allowed as of that term, execution may issue as of that term, and if the verdict is finally accepted the justice may issue all proper process for enforcing the same.

**SECT. 4.** If the verdict shall affirm such order, costs shall be recovered by the city or town against such applicant. If the verdict shall annul such order in whole, costs shall be recovered by the applicant against such city or town, and in case such verdict shall alter such order in part, the court may render such judgment as to costs as to justice shall appertain.

**SECT. 5.** This act shall not be in force in any town or city unless the inhabitants of the town, or the city council of the city, shall adopt the same at a legal meet-
AN ORDINANCE TO REVISE, CODIFY AND AMEND THE ORDINANCES OF THE CITY OF Saco.

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

SECTION 1. The foregoing ordinances, numbered from one to twenty-three inclusive, are hereby revised, amended, codified, passed and ordained as the Revised Ordinances of the city of Saco, and are hereby declared to be valid and in full effect as revised and amended, from and after the approval of this ordinance by the mayor.

SECTION 2. All ordinances and parts of ordinances, inconsistent with the foregoing Revised Ordinances, are hereby repealed, so far as they are inconsistent with these Revised Ordinances, saving to all persons and parties whatsoever all rights, actions and causes of action which now exist under the same, and said rights and actions may be determined and enjoyed as if this revision and amendment had not been made.

SECTION 3. This ordinance shall take effect from and after its approval by the mayor.

[Passed August 3, 1867, and approved August 13, 1867.]
SUBSEQUENT
CITY ORDINANCES.

(No. 1.)
AN ORDINANCE PROVIDING FOR THE EXECUTION OF DEEDS
IN BEHALF OF THE CITY.

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

SECTION 1. The mayor is hereby authorized and em-
powered to affix the seal of the city unto, and execute
and deliver in behalf of the same, all deeds and other
legal instruments required by any order of the city
council.

SECT. 2. This ordinance shall take effect upon its
approval.

[Passed August 3, 1867 and approved August 13, 1867.]

(No. 2.)
AN ORDINANCE ESTABLISHING A FIRE DEPARTMENT.

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

SECTION 1. The fire department of the city of Saco shall consist of
three fire engineers, to be chosen annual-
ly, and such engine men and hook and ladder men, as the
city council may from time to time direct and find neces-
sary.

SECT. 2. Said fire-engineers shall be denominated chief engineer and 1st and 2nd assistant engineers, and
be elected as such, and shall possess and have the same
powers and duties, except as otherwise provided in this
ordinance, and they shall have all the powers conferred
upon fire-wards and fire-engineers by the laws of the state.
To have charge of all the fire apparatus and reservoirs of the city.

**Sect. 3.** The engineers shall have the charge and direction of all engine and hook and ladder companies, and the fire apparatus and reservoirs of the city, and see that the companies are kept in an efficient condition as to members and drill, and that all the fire apparatus of the city is in good working order and condition, and report any deficiency found in any of these particulars, to the city council.

**Sect. 4.** Each engine company shall consist of at least forty able, efficient and reliable men, of not less than eighteen years of age, except the steam fire engine company, which shall consist of at least twenty men of not less than eighteen years of age. Each engine company shall choose annually a foreman and assistant foreman, who shall be at least twenty-one years of age, and a clerk and steward, and may adopt such regulations and rules for the government of the companies as they may deem expedient, subject to the approbation of the engineers and mayor and aldermen, and a copy of such rules shall be deposited with the city clerk.

**Sect. 5.** It shall be the duty of the foreman of each company to deposit with the city clerk, upon the first Mondays of January, April, July and October of each year, a true and correct list of all the members of his company, together with the age of each, and the street and number of his residence.

**Sect. 6.** It shall be the duty of the engineers, at least once in each month, and immediately after any fire, to examine into the condition of the fire companies and apparatus, and cause them to be put immediately into an efficient condition; and may for this purpose order out the companies, with their engines, to be worked in their presence, if they shall deem it necessary.

**Sect. 7.** It shall be the duty of the members of the fire department whenever a fire occurs and an alarm is given, to repair with their apparatus immediately to the fire, and use their best endeavors to extinguish the same, under the direction of the engineers.

**Sect. 8.** In all cases of fire the chief engineer, and
in his absence the assistant next in rank, who may be present, shall have the command of the whole department; and in their absence, this duty shall devolve upon the foreman who shall be senior in years.

Sect. 9. Each hook and ladder company shall consist of at least thirty men, of not less than eighteen years of age, and shall have all the powers and privileges as to organization, and be subject to all the duties granted and imposed upon engine companies.

Sect. 10. The fire department shall receive such compensation as the city council may determine from time to time, and no payment of any kind shall be made for any service rendered, or other expense accruing on account of it, except the same shall be approved by a majority of the board of engineers, unless upon the direct and specific directions and order of the city council, upon application therefore.

Sect. 11. The engineers may make such rules and regulations for governing the department at fires, and for the care of the fire apparatus, and for working the machines, as they may deem necessary, subject to the approval of the city council.

Sect. 12. This ordinance shall take effect upon its approval by the mayor; and all ordinances and parts of ordinances, inconsistent with this ordinance are hereby repealed.

[Passed August 16, 1867, and approved August 17, 1867.]

(No. 3.)

AN ORDINANCE TO PREVENT THE OBSTRUCTION OF THE CITY RESERVOIRS.

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

Section 1. No person, under any circumstances, shall deposit any materials or rubbish of any kind upon any city reservoir, so as to interfere with or obstruct the convenient use of the same, under a penalty of not less than $20.
nor more than twenty dollars, nor exceeding fifty dollars, for each offence.

SECT. 2. If any such reservoir shall be so obstructed the chief engineer or the city marshal, shall at once cause the obstructions to be removed at the expense of the person or persons making such obstructions.

SECT. 3. If any person shall take any water, for any purpose whatever, from any reservoir belonging to the city, except for the extinguishment of fires, or for the use of the fire department, without first having obtained permission in writing from the mayor, he shall pay for each offence not less than five and not more than twenty dollars.

SECT. 4. This ordinance shall take effect from and after its approval by the mayor.

[Passed August 16, 1867, and approved August 17, 1867.]
JOINT RULES AND ORDERS
OF THE
CITY COUNCIL.

Rule 1. At the commencement of the municipal year, the following joint standing committees shall be appointed, unless otherwise ordered by their respective boards, viz:

On Finance—To consist of the mayor, one alderman and three members of the common council.

On Accounts—To consist of one alderman and two members of the common council.

On Public Property—To consist of the mayor, one alderman and two members of the common council.

On Printing—To consist of one alderman and two members of the common council.

On Public Instruction—To consist of the mayor, one alderman, the president and two members of the common council.

On Sewers and Drains—To consist of one alderman and two members of the common council.

On the Poor—To consist of one alderman and two members of the common council.

On Ordinances—To consist of the mayor and two members of the common council.

On Streets—To consist of the mayor, one alderman and three members of the common council.

On Fire Department—To consist of one aldermen and two members of the common council.

On Lighting Streets—To consist of the mayor, president and one member of the common council.

On all joint committees wherein it is provided that the mayor shall be a member, in case of the non election, decease, inability, or absence of that officer, the president pro tempore of the board of aldermen, shall act ex officio.

The member of the board of aldermen, on every joint committee of which the mayor is not a member, shall be its chairman.
RULE 2. The members of the board of aldermen and of the common council, who shall constitute the joint standing committees, shall be appointed by their respective boards unless otherwise ordered.

RULE 3. In every case of disagreement between the two branches of the city council, if either board shall ask a conference, and appoint a committee of conference, and the other board shall also appoint a committee to confer, such committee shall, at a convenient hour agreed upon by their chairmen, meet and state to each other, verbally or in writing, the views of their respective boards, for and against the matter in controversy, confer freely thereon, and report in writing to the board asking the conference.

RULE 4. Either board may propose to the other, for its concurrence, a time to which both boards shall adjourn, and neither shall adjourn without giving notice to the other board, and receiving notice from said other board that it is also ready to adjourn.

RULE 5. 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 Saco, as follows."

RULE 6. When either board shall not concur in the action of the other, notice of such non-concurrence shall be given by a written message.

RULE 7. In all votes, when either or both branches of the city council express any thing 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."

RULE 8. No committee shall act by separate consultation, and no report shall be received unless agreed to in committee actually assembled.

RULE 9. The reports of all committees, agreed to by a majority of the members, shall be made to the board in which the business referred to originated.

RULE 10. It shall be the duty of every joint committee to report on any subject specially referred to them, within four weeks, or ask for further time.

RULE 11. No business shall be transacted by the city council in convention except such as shall have been previously agreed upon, unless by unanimous consent.
Rule 12. All reports and other papers submitted to the city council, shall be written in a fair hand, and no report of any kind shall be endorsed on the memorial or other papers referred to the committee of either branch, and the clerk shall make copies of any papers to be reported by committees, at the request of the chairman thereof.

Rule 13. After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any purpose, unless provisions for the same shall be made by a special transfer from some of the annual appropriations, or by expressly creating therefor a city debt; but no such debt shall be created except by the affirmative votes of two-thirds of the whole number of each branch of the city council, voting by yeas and nays.

Rule 14. Every joint resolution shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same to be enrolled, and when the same shall have been so passed it shall be sent to the other board for concurrence; and when such resolution shall have been passed by each board, the same shall be enrolled by the city clerk, and examined by the committee of the common council on enrolled bills, and on being found correctly enrolled, without further reading or question shall be signed by the president of the common council and sent to the other board, where a like examination shall be made by the committee of that board on enrolled bills, and if found correctly enrolled, the same shall be presented to the mayor for his signature.

Rule 15. Every ordinance shall have as many readings in each board as the rules of each board require; after which the question shall be on passing the same to be enrolled, and it shall be sent to the other board for concurrence; and when such ordinance shall have been so passed to be enrolled in each board, the same shall be enrolled by the city clerk, and examined by the committee of the common council on enrolled bills, and on being found by said committee to be correctly enrolled, the same shall be reported to the council, when the question shall be on passing the same to be ordained; and when said ordinance shall have so passed to be ordained, it shall be signed by the president of the common council and sent to the other board, when a like examination shall
be made by the committee of that board on enrolled bills, and if found to be correctly enrolled, the same shall be reported to the board, and the question shall be on passing the same to be ordained; and when the same shall have passed to be ordained it shall be signed by the mayor.

Rule 16. No enrolled ordinance shall be amended.

Rule 17. Joint standing committees shall cause records to be kept of their proceedings, in books provided by the city for that purpose.

Rule 18. No chairman of any committee shall audit or approve any bill or account against the city for any supplies or service which shall not have been ordered or authorized by the committee.

Rule 19. No vote by which an order, ordinance or resolve has passed its final stage, shall be reconsidered in either board after the same has been finally acted upon in the other board, unless the motion for reconsideration be made on notice given at the same meeting at which the vote to be reconsidered passed; and when any order, ordinance or resolve shall have been rejected, no other substantially the same, shall be introduced by any committee or member, during the municipal year, without the consent of two-thirds of the members present.

Rule 20. None of the foregoing joint rules and orders shall be suspended, amended or repealed, unless two-thirds of the members present consent thereto.
RULES AND ORDERS
OF THE BOARD OF
MAYOR AND ALDERMEN.

SECTION 1. The mayor shall take the chair at the hour to which the board adjourned, and shall call the members to order; and a quorum being present, shall cause the minutes of the preceding meeting to be read. In the absence of the mayor, the board shall elect a president pro tempore.

SECT. 2. He shall preserve decorum and order; may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the board, by motion regularly seconded; and no other business shall be in order till the question on the appeal is decided.

SECT. 3. He shall declare all votes; but if any member doubts a vote, the president shall cause a return of the members voting in the affirmative and in the negative, without debate.

SECT. 4. He may read sitting, but shall rise to state a motion or put a question.

SECT. 5. On all questions and motions whatsoever, the president shall take the sense of the board by yeas and nays, provided any member shall so request.

SECT. 6. After a motion is stated or read by the president, it shall be deemed to be in possession of the board, and shall be disposed of by vote.

SECT. 7. When a question is under debate, the president shall receive no motion but to adjourn, lay on the table, to postpone to a day certain, to commit, to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.

SECT. 8. Every member when about to speak, shall rise and respectfully address the mayor or president, confine himself to the question under debate, and avoid personalities. No member shall speak out of his place without leave.
Sect. 9. No member speaking shall be interrupted by another, but by a call to order, or to correct a mistake.

Sect. 10. Every member who shall be present when a question is put, shall give his vote, unless the board shall excuse him.

Sect. 11. Every ordinance shall pass through the following stages before it shall be considered as having received the final action of this board, viz: first reading, second reading, passage to be enrolled, passage to be ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

Sect. 12. Every motion shall be reduced to writing, if the president shall so direct, or any member request it.

Sect. 13. The following standing committees of the board shall be appointed, viz:

On the sale of intoxicating liquors.
On Police.
On Licenses.
On Enrolled Bills.
On Elections.
—The committees on Police and on Licenses to consist of the mayor and two aldermen, and each of the others to consist of three aldermen.

Sect. 14. Committees of the board to whom any matter is specially referred, shall be required to report within four weeks, or ask for further time.

Sect. 15. All committees shall be appointed and announced by the mayor, unless the board shall determine otherwise.

Sect. 16. 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 specific purposes.
RULES AND ORDERS
OF THE
COMMON COUNCIL.

DUTIES OF THE PRESIDENT.

Rule 1. The president shall take the chair at the hour to
which the council may have adjourned, shall call the members to
order, and, on the appearance of a quorum, shall cause the minutes
of the preceding meeting to be read, and proceed to business.

Rule 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 mo-
tion of any member regularly seconded, and no other business
shall be in order till the question on the appeal shall have been
decided.

Rule 3. He shall decide all votes, but if any member shall
doubt the vote, the president, without further debate, shall require
those members voting in the affirmative and in the negative to rise
and stand until they are counted, and then shall declare the result.

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

Rule 5. The president may only express his opinion on any
subject under debate by leaving the chair and appointing a mem-
er to take it; but the president may state facts, and give his
opinion on questions of order without leaving his place.

Rule 6. When the council shall decide to go into committee
of the whole, the president shall appoint the chairman.

Rule 7. The president shall take the sense of the council by
yeas and nays, when two of the members present shall so require;
and in taking the yeas and nays the names of the members, ex-
cept the president, shall be called in alphabetical order.

Rule 8. He shall propound all questions in the order in which
they are moved, unless the subsequent motion be previous in its
nature, except that in naming sums and fixing times, the largest sum and longest time shall be put first.

Rule 9. When a question is under debate, the president shall receive no motion but to adjourn, to lay on the table, for the previous question, to postpone to a time certain, to commit, to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged.

Rule 10. He shall consider a motion to adjourn as always first in order; and that motion and the motion to lay on the table, and for the previous question, shall be decided without debate.

Rule 11. He shall put the previous question in the following form: "Shall the main question be now put?" And all debate shall be suspended until the previous question shall be decided. The adoption of the previous question shall put an end to all debate, and bring the council to a direct vote upon pending amendments, if any, in their regular order, and then upon the main question.

Rule 12. All incidental questions of order arising after a motion is made for the previous question, shall be decided without debate, except on an appeal; and on such an appeal, no member shall be allowed to speak more than once without leave of the council.

Rule 13. When two or more members happen to rise at once, the president shall name the member who is first to speak.

Rule 14. All committees shall be appointed and announced by the president, unless otherwise provided for, or specially directed by the council.

Rule 15. In all cases the president may vote.

Rule 16. The president may call any member to the chair, but such substitution shall not extend beyond an adjournment.

Rule 17. In the absence of the president the senior member present shall call the council to order, and shall preside until a president pro tempore shall be chosen.

Rights, Duties and Decorum of Members.

Rule 18. 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 president, shall confine himself to the ques-
tion under debate, avoid personalities, and resume his seat when he has finished speaking.

Rule 19. No member in debate shall mention another by name, but may describe him by some designation, intelligible and respectful.

Rule 20. No member speaking shall be interrupted by another, but by rising to call to order or to correct a mistake:

Rule 21. No member shall speak more than twice to the same question, without leave of the council, nor more than once until other members choosing to speak, shall have spoken.

Rule 22. Every motion shall be reduced to writing if requested by the president, or by any member of the council.

Rule 23. Any member may require a division of the question, when the sense will admit of it.

Rule 24. No motion or proposition of a subject different from that under consideration, shall be admitted under color of amendment.

Rule 25. When a vote has passed, it shall be in order for any member who voted in the majority, to move the reconsideration thereof, at the same meeting at which the vote passed, but not afterwards; and when a motion for reconsideration is decided, that vote shall not be reconsidered.

Rule 26. At every regular meeting of the council, the order of business shall be as follows:

1. Papers from the board of aldermen.
2. Unfinished business of preceding meetings.
3. Communications and reports from city officers, presentations of petitions, remonstrances and memorials.
4. Reports of committees.
5. Motions, orders and resolutions.

And the above order shall not be departed from but by vote of three-fourths of the members of the council present.

Rule 27. No rule or order of the council shall be suspended unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended without notice being given therefor at a preceding meeting, nor unless a majority of the whole council concur therein.

Rule 28. Every member shall take notice of the day and hour to which the council stand adjourned, and shall give his punctual attendance accordingly.
Rule 29. The reading of any paper when objected to, shall be determined by vote of the council.

Rule 30. Every seat which shall be drawn by any member at the beginning of the session, shall be his seat during the year, unless he have leave of the president to change it.

Rule 31. When any member shall be guilty of a breach of any rule or order of the council, he may, on motion, be required to give satisfaction therefor; and in such a case he shall not be allowed to vote or speak, except by way of excuse, till he has done so.

Rule 32. No member shall be allowed to vote or serve on any committee on any question where his private right is concerned, distinct from the public interest.

Rule 33. The clerk of the council shall be elected by written ballot.

Rule 34. The members of the council shall not leave their places on adjournment, until the president shall declare the council adjourned.

Petitions, Memorials, &c.

Rule 35. All memorials and other papers addressed to the council, shall be presented by the president, or by a member in his place, who shall explain the subject thereof, and they shall lie on the table or be taken up in the order in which they were directed, unless the council shall otherwise direct.

Ordinances, Orders and Resolutions.

Rule 36. All ordinances, orders and resolutions shall have two several readings before they are finally passed; and no ordinance, order, or resolution, imposing penalties or authorizing the expenditure of money, and no order or resolution authorizing a loan, shall have more than one reading on the same day; provided, however, that nothing herein contained shall prevent the passage of an order at any meeting of the council, to authorize the printing of the document relating to the affairs of the city.

Powers and Duties of Committees.

Rule 37. Standing committees shall be appointed on the following subjects:

On elections and returns.
On enrolled bills.
Rule 38. All committees of the council shall consist of three members, unless otherwise ordered, and no report shall be received from any committee, unless agreed to in committee actually assembled.

Rule 39. No committee shall sit during any meeting of the council without special leave, except the committee on enrolled bills.

DUTIES OF THE CLERK.

Rule 40. The clerk shall keep minutes of the votes and proceedings of the council, enter thereon such orders and resolutions as are adopted, shall notice reports, petitions and other papers which are presented, bear all messages and transmit all papers from the common council to the board of Aldermen, unless the council shall otherwise order; and he shall attend the meetings of the committees of the council and make their records when required.
WARD BOUNDARIES.

1. Ward numbered One commences on North street at a point where a line drawn through the middle of Spring street, and extended to the middle of said North Street, would intersect with a line drawn through the middle of North street; thence running southwesterly in a straight line to the middle of Spring street; thence in same direction down the middle of Spring street to a point where the northeast side line of the brick schoolhouse lot on the corner of Spring and Green street, so called, would extended intersect with the middle of Spring street; thence on said extended line and the northeasterly side line of said lot, and on the southeasterly side line of said lot, and the southwesterly side line of said lot to said Spring street, and thence in a straight line to the middle of said street; thence on a line by the middle of said Spring street to the middle of Boom road, so called; thence on a line by the middle of Boom road to the Portland, Saco and Portsmouth Railroad; thence southwesterly by said railroad to the river and Saco line; thence up said river and northerly by the Saco line to the Buxton road, so called; thence by the middle of the Buxton road aforesaid, and the middle of North street, to the point of beginning.

2. Ward numbered Two commences at a point where a line drawn through the middle of Beach street would intersect with a line drawn through the middle of Main street; thence running northeasterly on a line by the middle of the Portland road, so called, to the Scarborough line; thence northwesterly by the Scarborough line to the Buxton line; thence southwesterly by the Buxton line to the Buxton road, so called, and line of Ward numbered One; thence on a line by the middle of Buxton road, so called, and on a line by the middle of North street to the northwest side line of Main street; thence by said northwest side line of Main street to the Town Hall lot, so called; thence northwesterly by the line of said lot, eighty-six feet; thence on a line that, shall be at right angles with the northeast side of said Town House, through
WARD BOUNDARIES.

said house to the middle of Cutts avenue, so called; thence on a line by the middle of Cutts avenue aforesaid to the middle of Main street; thence on the middle of Main street to the point of beginning.

3. Ward numbered Three commences at a point where a line drawn through the middle of Beach street would intersect with a line drawn through the middle of Main street; thence running northeasterly by the middle of the Portland road, so called, to the Scarborough line; thence southeasterly by the Scarborough line to the sea; thence southwesterly by the sea to the mouth of Goose Fare brook; thence by the middle of Goose Fare brook to the bridge which crosses said brook on the Old Orchard road, so called; thence in a straight line to a point on the Ferry road, so called, six rods southeasterly of the dwelling house formerly occupied by Daniel Heath; thence northwesterly on a line by the middle of the Ferry road and the middle of Beach street, to a point where a line drawn through the middle of High street and extended would intersect; thence by said line and a line by the middle of High street southwesterly to the middle of School street; thence on a line by the middle of School street to the middle of Main street; thence by the middle of Main street to the point of beginning.

4. Ward numbered Four commences at the mouth of Goose Fare Brook at the sea; thence by the middle of the brook to Goose Fare bridge on the Old Orchard road, so called; thence in a straight line to a point on the Ferry road, so called, six rods southeasterly of the dwelling-house formerly occupied by Daniel Heath; thence northwesterly by the middle of the Ferry road and Beach street to a point where a line drawn through the middle of High street, and extended, would intersect; thence by said line and on a line by the middle of High street to the middle of School street; thence on a line by the middle of School street to the middle of Middle street; thence on a line by the middle of Middle street to the middle of Free street; thence on a line by the middle of Free street to the middle of Wharf street; thence on a line by the middle of Wharf street and a continuation of the same to the Biddeford line; thence by the Biddeford line to the sea, and thence by the sea to the place of beginning.
5. Ward numbered Five commences at the Biddeford line where
the Portland, Saco and Portsmouth Railroad intersects it; thence
northeasterly by said road to the middle of Boom road; thence on
a line by the middle of Boom road to the middle of Elm street;
thence on a line by the middle of Elm street to the middle of Water street; thence on a line by the middle of Water street to
the middle of Main street; thence on a straight line to the middle
of Common street; thence on a line by the middle of Common
street to the middle of Wharf street; thence on a line by the mid-
dle of Wharf street and a continuation of the same to the Bidde-
ford line; thence by the Biddeford line to the place of be-
inning.

6. Ward numbered Six commences on Spring street, at a point
where a line drawn through the middle of Pleasant street and
through the middle of Spring street would intersect; thence to-
w ard the river on the line of ward numbered one to the Boom
road; thence southeasterly on a line by the middle of Boom road
to the middle of Elm street; thence on a line by the middle of
Elm street to the middle of Water street; thence on a line by the
middle of Water street to the middle of Main street; thence on a
straight line to the middle of Common street; thence on a line by
the middle of Common street to the middle of Free street; thence
on a line by the middle of Free street to the middle of Main
street; thence on a line by the middle of Main street to where a
line drawn through the middle of Pleasant street and extended
would intersect; thence northwesterly on said line and on a line
by the middle of Pleasant street to the point of beginning on
Spring street.

7. Ward numbered Seven commences on Spring street where it
intersects with Pleasant street; thence northeasterly on the line of
ward numbered one to North street; thence southeasterly by the
middle of North street to the line of ward numbered two; thence
by the line of ward numbered two to the middle of Main street;
thence on a straight line to the middle of School street; thence on
a line by the middle of School street to the middle of Middle
street; thence on a line by the middle of Middle street to the mid-
dle of Free street; thence on a line by the middle of Free street
to the middle of Main street; thence on a line by the middle of
Main street to where a line drawn through the middle of Pleasant street would intersect; thence on said line and a line by the middle of Pleasant street to the point of beginning; and all other parts of Saco not otherwise assigned, are assigned to and as a part of ward numbered seven.
GOVERNMENT
OF THE
CITY OF SACO.
1867.

MAYOR:
JOSEPH HOBSON.

ALDERMEN:

Ward 1. WILLIAM H. DEERING,
" 2. CHARLES HILL,
" 3. DANIEL M. OWEN,
" 4. TRACY HEWES,
" 5. WILLIAM LITTLEFIELD,
" 6. STEPHEN F. SHAW,
" 7. JAMES BEATTY.

CITY CLERK,
JOSEPH L. MILLIKEN.

COMMON COUNCIL:

MOSES J. HAINES, President.

Ward 1. BENJAMIN F. COLE,
" " CHARLES S. BRYANT.
" 2. ALVIN MCKENNEY,
" " JAMES PATTERSON.
" 3. EPHRAIM HARMON,
" " JOHN JAMESON.
" 4. RICHARD LEAVITT,*
" " ISAAC MARSHALL;†
" " JOSEPH STEVENS.
" 5. HUGH WALLACE,
" " JOHN A. KELLY.

*Deceased.  †Elected to fill vacancy.
WARD 6.  JOSEPH MILLIKEN,
         "  "  STEPHEN C. LIBBY.
         "  7.  MOSES J. HAINES,
         "  "  JOSEPH W. BURROWS.

CLERK OF COMMON COUNCIL.
  JOHN A. KELLY,*
  JAMES W. LITTLEFIELD,†

WARD OFFICERS.

WARDENS.  WARD CLERKS.

WARD 1.  IVORY LORD.  DANIEL L. YOUNG,
             "  2.  WILLIAM HOBSON,  WILLIS MASON,
             "  3.  JOSEPH F. DEARING,  FRANCIS N. HODSDON,
             "  4.  JOHN H. GOWEN,  EDWARD S. FERNALD,
             "  5.  JASON H. SAWYER,  AUGUSTUS B. AUSTIN,
             "  6.  IVORY MASON,  GEORGE A. EMERY,
             "  7.  CHAS. G. BURLEIGH.  FRANK A. BOOTHBY.

CONSTABLES,

WARD 1.  PHINEAS LIBBY, 2D,
             "  2.  DANIEL S. SANDS,
             "  3.  DANIEL L. TOPPAN,
             "  4.  JAMES J. WIGGIN,
             "  5.  OBADIAH DURGIN,
             "  6.  AUGUSTUS LORD,
             "  7.  JOSEPH F. CHADBOURNE.

JUDGE OF THE MUNICIPAL COURT,
  GEORGE A. EMERY.

CITY SOLICITOR,
  F. W. GUPTILL.

CITY MARSHAL,
  OBADIAH DURGIN.

TREASURER,
  JAMES M. DEERING.

COLLECTOR,
  DAVID TUXBURY.

* Resigned.  † Elected to fill vacancy.
CITY OF SACO.

ASSSESSORS,
GEORGE PARCHER,
CHARLES LITTLEFIELD,
CORNELIUS SWEETSER.

AUDITOR,
CHARLES LITTLEFIELD.

OVERSEERS OF POOR,
CHARLES HILL,
BENJAMIN F. COLE,
JOSEPH STEVENS.

CHIEF ENGINEER OF FIRE DEPARTMENT,
CHARLES TWAMBLEY,
TRACY HEWES, 1st Assistant,
CHARLES M. LITTLEFIELD, 2d Assistant.

SUPERINTENDING SCHOOL COMMITTEE,
MOSES J. HAINES,
IVORY MASON,
JOHN H. WINDSOR.

CITY PHYSICIAN,
STEPHEN C. LIBBY.

BOARD OF HEALTH,
STEPHEN C. LIBBY,
JOSEPH MILLIKEN,
S. PATTEN GRAVES.

STREET COMMISSIONERS,
District No. 1. FRANK SCAMMAN,
   2. ALVIN McKENNEY,
   3. FRANCIS EMMONS,
   4. JOSEPH MILLIKEN.

SCHOOL AGENTS,
District No. 1. DORRANCE LITTLEFIELD,
   2. ISAAC MARSHAL,
DISTRICT No. 4.

ISAIAH P. MILLIKEN,

IVORY LORD,

SAMUEL McKENNEY,

JAMES LADD,

JAMES ANDREWS,

JAMES PATTERSON.

SURVEYORS OF WOOD AND BARK,

LIVING H. LANE,    SAMUEL T. SHANNON,
JOSEPH L. HOBSON,    DANIEL S. SANDS,
LEWIS McKENNEY,    FREDERIC DUNN,
WILLIAM N. PERRY,    STEPHEN P. LANE,
CHAS. LITTLEFIELD,    SAMUEL BERRY,
SYLVESTER BOOTHBY, IRA C. DOE,
WILLIAM H. WEBSTER, OLIVER BATTs,
IVORY MASON,    MICHAEL N. MILLIKEN.

SURVEYORS OF LUMBER,

LIVING H. LANE,    STEPHEN P. LANE,
CHAS. LITTLEFIELD,    JOSEPH F. GRAFFAM,
DANIEL ROUNDS,    JAMES ANDREWS,
IVORY MASON,    FREDERIC DUNN,
JOSEPH L. HOBSON,    DANIEL S. SANDS,
GEORGE W. USHER,    MICHAEL N. MILLIKEN,
STEPHEN·WATSON,    NAHUM MCKUSICK,
JOSEPH MILLIKEN,    WILLIAM N. PERRY.
CHAS. M. LITTLEFIELD,

PORT WARDENS,

RICHARD LEAVITT,* ISAAC MARSHALL,†
NATHANIEL FERNALD.

FENCE VIEWERS,

RICHARD LEAVITT,* FRANCIS EMMONS,†
ARTHUR BOOTHBY, ISAAC MARSHALL,
LEWIS McKENNEY, NOAH TRICKEY.

POUND KEEPER,

JAMES ADAMS.

CULLER OF STAVES,

HARRISON CLEAVES.

* Deceased.   † Elected to fill vacancy.
CITY OF SACO.

SEALER OF WEIGHTS AND MEASURES,
FRANCIS N. HODSDON.

CITY WEIGHTER,
ABRAHAM CUTTER.

LIQUOR AGENT,
BENAIH CLARK.

Joint Standing Committees of the City Council.

ON FINANCE.

THE MAYOR,
Alderman
JAMES BEATTY,
Councilmen,
HUGH WALLACE,
STEPHEN C. LIBBY,
JOSEPH W. BURROWS.

ON ACCOUNTS.

Alderman
DANIEL M OWEN.
Councilmen,
JOHN JAMESON,
JOSEPH MILLIKEN.

ON PUBLIC PROPERTY.

THE MAYOR,
Alderman
TRACY HEWES.
Councilmen,
JOSEPH W. BURROWS,
BENJAMIN F. COLE.

ON PRINTING.

Alderman
STEPHEN F. SHAW.
Councilmen,
JAMES PATTERSON,
ALVIN McKENNEY.

ON PUBLIC INSTRUCTION.

THE MAYOR,
Alderman
DANIEL M. OWEN.
Councilmen,
MOSES J. HAIMES,
STEPHEN C. LIBBY,
JOHN JAMESON.

ON SEWERS AND DRAINS.

Alderman
CHARLES HILL,
Councilmen,
JOSEPH MILLIKEN,
CHARLES S. BRYANT.
<table>
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<tr>
<th>Standing Committees of the Board of Mayor and Aldermen.</th>
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<td><strong>ON THE SALE OF INTOXICATING LIQUORS.</strong></td>
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<td>STEPHEN F. SHAW,</td>
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<tr>
<td>WILLIAM LITTLEFIELD,</td>
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<td>CHARLES HILL.</td>
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<td><strong>ON POLICE.</strong></td>
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<td>THE MAYOR,</td>
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<td>Aldermen,</td>
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<td>JAMES BEATTY,</td>
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<td>TRACY HEWES.</td>
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CITY OF SACO.

ON LICENSES.

THE MAYOR.

Aldermen,
WILLIAM LITTLEFIELD,
DANIEL M. OWEN.

ON ENROLLED BILLS.

Aldermen,
JAMES BEATTY,
DANIEL M. OWEN,
WILLIAM H. DEERING.

ON ELECTIONS.

Aldermen,
STEPHEN F. SHAW,
JAMES BEATTY,
CHARLES HILL.

Standing Committees of the Common Council.

ON ELECTIONS AND RETURNS.

Councilmen,
JOHN A. KELLEY,
EPHRAIM HARMON,
HUGH WALLACE.

ON ENROLLED BILLS.

Councilmen,
JOHN A. KELLEY,
JOHN JAMESON,
STEPHEN C. LIBBY.
MAYOR'S ADDRESS.

Gentlemen of the City Council:

An act to incorporate the city of Saco was passed by the Legislature of the State on Feb. 5, 1867, and approved by the Governor. This act provided for the submission of the proposed charter to the legal voters of the town, at a meeting duly called for the purpose. The charter was accepted by a majority of our citizens on Feb. 18th, and the selectmen immediately proceeded to divide the town into wards. This work was performed promptly, and the first charter election was held March 11th, 1867.

We have been elected members of the first board of municipal officers under the provisions of the act of incorporation, and we are now assembled to effect an organization, and transact such business as may properly come before us.

The proposal to exchange our system of town government for that of a city, was thought by a large and respectable minority of our citizens to be a measure of doubtful utility. Objections to the acceptance of the charter were urged chiefly upon the ground that under a city government there would necessarily be an increased expenditure of money without increased advantages accruing to the citizens.

Such being the conviction of many of our citizens, it is plainly our duty to make the expenditure of city money as moderate as is consistent with the public good. While we should look carefully after the interests of the city, we should undertake no experiments of which the expediency may be questioned.

In view of the fact that I was called suddenly to the office of mayor, and the short time which has elapsed since the election, and the pressure of other business, it cannot be expected that I should enter into any details relative to the new city. My recommendations will be, therefore, of a general character, and I shall refer you for particulars to the several reports of the town officers.
The importance of education for the advancement of the best interests of our youth demands that we should make the public schools our first care. So far as I have been informed our schools are now in a prosperous condition. I refer you to the report of the superintending school committee for particulars relative to the several districts.

By Sect. 20th of the act of incorporation: "All the power and authority vested in the inhabitants of any school district in the city of Saco shall be and the same is hereby vested in the board of aldermen and common council of the city aforesaid, and they are authorized to consolidate the school districts and arrange all the affairs of the same as one district."

You will perceive from this that it is optional with the council whether the different districts shall be united, or not. As at present divided, there are nine districts, named as follows:

District No. 1—Village.
   "   2—Ferry.
   "   3—Old Orchard.
   "   4—Dyer.
   "   5—Sawyer.
   "   6—Nonsuch.
   "   7—Loudon.
   "   8—Parcher.
   "   9—Sandy Brook.

There are fourteen schools in the Village district, while there is one in each of the others. The report of the school committee for 1865–6, to which I refer because the report of last year is not at hand, gave the following statistics:

Village District—number of scholars, 1261,
All other Districts—number of scholars, 568.

In view of this disproportion between the number of scholars in the Village district and in all the other districts taken together, I would suggest the propriety of forming two districts rather than consolidating them in one. The out-of-town districts are less easily visited by a school committee, and yet they need the same careful attention which is bestowed upon those in the village. No person, capable of performing the responsible duties of supervisor of all the districts in our city, can be expected to devote much
of his time to the examination of schools without receiving adequate compensation. It requires so much time to visit the schools in remote districts that the office of supervisor is, by no means, a very desirable one, while, on the other hand, the interest felt in our village schools and their easy accessibility render their examination by a committee much more inviting. I suggest, therefore, that our common schools be divided into two districts, one comprising the schools in the present village district, the other including the eight which are more remote.

I would also suggest the propriety of electing a supervisor whose duty it shall be to visit, from time to time, the schools in the outside districts, and who shall receive for his services a fair remuneration. Local school agents may be appointed by this council, whose duties shall be the same as were those formerly of the district agents.

I would recommend the appointment by the council of a school committee of six members of the Village district; two of these holding office for three years, two for two years and two for one year, thus causing a vacancy of only two to be supplied for each municipal year. These appointments will be considered as honorary, and the duties of the office will be cheerfully performed by those whom you may choose to designate. I will state that this division of labor appears to be productive of good results in other cities.

You will allow me to allude to the subject of our High School. Occasionally, since its formation, objections have been made by some to its continuance, upon the ground that first class advantages were not afforded to the pupils. The teacher has been insufficiently paid; he has not been allowed proper assistants; he has had no chemical or philosophical apparatus at his disposal; he has not had a suitable cabinet and diagrams for illustration. Notwithstanding these serious disadvantages, the school has grown in public favor, and it is our privilege to aid in rendering it even more worthy of support.

It is well known by the citizens of Saco that the Thornton Academy was for many years a flourishing educational institution. Upon the burning of the Academy building in 1848, the Trustees decided not to erect another edifice immediately, and the construc-
tion of the building has been postponed for substantial reasons.

In fact, since that unfortunate conflagration there has been no Academy in Saco, and the Thornton fund has been allowed to accumulate, by added interest, up to the present time.

The Thornton endowment was for the purpose of affording superior educational advantages to the scholars of this vicinity, but it was not designed to support a free Academy. Pupils were expected to pay a moderate tuition fee for the privileges enjoyed. There is no need of referring to the high reputation which the old Thornton Academy deservedly won.

It seems desirable that the youth of Saco should be permitted in some way to receive the benefits which can be derived from a legitimate use of the Thornton fund. The amount originally given for educational purposes has been held in trust by a board of gentlemen who have judiciously invested it, and the fund is now over twenty-two thousand dollars.

I would commend to your serious consideration the subject of conferring with the Trustees of the Thornton Academy fund. It is highly probable that some arrangements may be made to merge our present High School in an academy whose advantages will be superior to those now afforded in our city. It is obvious that the sum of $1300 now annually expended for the support of the High School would give an ample scholarship fund for the free education of advanced pupils.

To illustrate this, let us suppose that upon the completion of satisfactory arrangements with the trustees of the Academy, a suitable building should be erected, and suitable apparatus procured for the purpose of study. I do not hesitate to say that the cabinets of the York Institute would be at once removed to rooms in a properly constructed, fire-proof Academy building. With the scientific apparatus and the cabinets, with the increased facilities for imparting practical instruction, our High School teacher with his assistants would make the Academy a credit to the city and an honor to the state.

Less than the amount yearly paid out for our High School, would secure free scholarships for the children of our citizens. In such an Academy they would enjoy superior educational privileges. I would, therefore, advise the appointment of a committee to con-
fer with the trustees of the fund, for the purpose of examining into the expediency of uniting the High School and Academy.

POLICE.

A large majority of our population are law-abiding, and the services of a police force are not frequently required, yet there are some exceptions; and, as the very fact of our having a well organized police would be the best guarantee against disorder and lawlessness in our streets, I would commend this subject to your careful consideration. I refer you to the accompanying report for details as to the police operations during the municipal year just closed.

CARE OF THE POOR.

The report of the overseers of the poor will be read with interest by our citizens. It is a gratifying fact that the number of paupers in our city is so small. I take the liberty of suggesting the propriety of exchanging the land now owned by the city and used as a Poor Farm, for land nearer the village, where the services of the superintendent, and city poor under his care, might be made available in breaking out roads and sidewalks in winter, and repairing and cleaning the streets in summer.

The manure thus gathered from the streets would serve as a fertilizer upon the farm, enhancing the value of the town property. The surplus products of the farm would be nearer a market, and the farm itself could be more easily and frequently examined.

STREETS.

I refer you to the report of the commissioner of highways for details as to the repairs upon the streets for the past year. Some improvements in lighting the streets, suggest whether it would not be advisable to place two or three additional lamp posts upon North street. Strangers arriving by the cars at night in our city can scarcely be prepossessed by their reception.

It is to be hoped that during the current year, our public may be provided with a horse railroad by private enterprise. Such a railroad running to Biddeford, and to our superb beach, cannot fail to render our city more attractive to residents and strangers.

We are allowed by law to expend five per cent. of the money raised for highways in setting out trees and otherwise ornamenting
the streets. In view of making our city attractive to strangers, and more pleasant for ourselves, I would recommend that something should be done in this direction.

FIRE DEPARTMENT.

During the past year our city has not been visited by destructive fires. Our fire department is efficient, and was able to render much aid at the terrible conflagration in Portland. In view of the efficiency of our steam fire engine and the increased security which it gives to property, I would suggest the propriety of exchanging our old hand engines for an additional steam engine.

PUBLIC PROPERTY.

The property now owned by the city consists of the City Building, Poor Farm, Jail, land and Engine House on Free street, with Engines and fire apparatus, which are valued in the aggregate at $40,000.

In addition to this property there is considerable real estate, part of which is known as the "Common," which was donated to the town for certain purposes, upon certain conditions, by Sir Wm. Pepperell, in 1752. Inasmuch as one of the provisions of the deed is that the land shall be fenced by the town, I recommend that a substantial fence be placed around the land, and that this property generously given shall be made attractive, and an ornament to the city, instead of remaining longer an unsightly waste.

FINANCES OF THE CITY.

The city enters upon its first fiscal year under favorable circumstances.

The whole debt of the town at the commencement of the war in 1861, was twenty thousand dollars. During the war a debt was contracted for war purposes, of $104,000. The original debt, of $20,000 and interest has been paid off within the last five years; the interest on the war debt has been paid, and the principal reduced to ninety thousand dollars.

For details of expenditures, I refer you to the able report of the auditor.

During the last session of our Legislature some action was taken relative to the assumption of the war debts of towns and cities, by the state. Until this subject is definitely decided, I would recom-
MAYOR’S ADDRESS.

mend that there be no further taxation for the reduction of the debt incurred during the war.

PUBLIC HEALTH.

As it is of the first importance to preserve the public health, and remove every cause of disease from the city, I will next advert to the necessity of having a survey of the streets made by the city engineer, for the purpose of planning a thorough system of drainage and sewerage. Our city is so located that it can be easily drained with comparatively little expense.

With the White Hills on the north looking down upon us, and plainly visible from our midst—with the beautiful Saco flowing along our western border—and the Atlantic Ocean, with its health-giving breezes, bounding our southern border, and rolling in upon the finest beach on the coast, already the resort of many tourists from neighboring states and Canada,—we have only to pay a proper regard to necessary sanitary regulations, to make our city one of the most healthy in the world. And we have only to avail ourselves of the advantages which God and nature have placed in our hands to make it also one of the most attractive summer resorts in our Union.

And now in conclusion, gentlemen, allow me to express the wish that while we shall be vigilant and active in the discharge of our respective duties, we shall not forget our dependence upon that Omnipotent Father whose blessing we have just invoked upon our new city.

Let us take as the legend upon our city seal, *Domine, dirige nos.* In all thy ways acknowledge God, and He shall direct thy path.

JOSEPH HOBSON.
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